

Tape 15, 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 January 19, 1993, and this is Tape 15, Side 1, the day before the inauguration of the new...

VA Isn't it today?

CH Is it today?

VA I think so. I don't plan to watch it, but I think it's today.

CH What was your impression of Governor Clinton and - was he a governor when you were a governor?

VA Yes. He was elected the first time the same time I was elected, and, then, he ran for reelection and lost, so my last four years he was not there. Then he ran again and won, so he was coming in as I was going out. My impression? A very ambitious man, probably was aiming at where he is today then. Some Democrats kind of consider him as the hope for the future. That was blunted when he lost his reelection but, nonetheless, hung on, and he kept his path clear. It was evident what was in his mind. As you recall the letter that he wrote in regard to his military status, he wanted to - I've forgotten the words, but maintain his political viability. He was thinking about it even then. For that reason, that's the kind of person I don't like.

CH Did you meet him at the governor's conferences that were held?

VA Oh yeah, at all the governor~~s~~ - while I was governor and he was governor, at all of them.

CH Was he active in discussions there?

VA Not necessarily, no.

CH Going back to 1973, do you recall the other candidates that were running against Jason Boe at the time for senate presidency?

VA No, I don't. I think it may have been Flegel or - I don't remember.

CH There probably wasn't much...

VA Lent or some of those other folks, I'm guessing. There was a division within the Democrat party between the moderate and liberal Democrats, and the liberals would be represented by Berkeley Lent and Ted Hallock and some of those folks, but they couldn't get enough to head off Jason Boe. And, incidentally, there was always almost an unspoken - again, I think we've talked about it - sort of upstate-downstate kind of thing. And if you really look at the history of leadership, probably most often you'll find downstate speaker, downstate president than you will upstate. I don't know, I don't think there was any what I would call upstate president of the senate while I was down there.

CH Did the senate Republicans support Jason Boe?

VA No - well, they didn't need us. When the final vote comes, you say, Well, let's make it unanimous. Okay, hurray; let's go.

CH But if there's a split between Democrats, could the

Republicans then have the effect of swinging it to someone downstate or...?

VA Well no, but in this case, there wasn't any need for it. We're talking about '73 now. There were just too many. You know, six aren't going to - you can't stretch six very far. Six means there was twenty-four of them.

CH Right. But the split was even enough that the Republicans could have swung it one way or the other?

VA No, no. No, it wouldn't have made any difference. They made their own choice.

CH Where did Burns fit into all this? John Burns had been senate president the previous session, and, of course, he had formed pretty much the last - that was probably the last coalition with Republicans. Where did he fit in, in the '73? Was he outcast by his fellow Democrats?

VA No. No, he had good committee assignments, as I recall. Not necessarily ostracized. They just figured that's part of the great ~~passion~~^{DANGERS} of life, as my son used to say.

CH Aside from your committee assignment on Education, you were also on Alcohol and Drugs. Betty Roberts was chair of that in that session. What do you recall of that committee?

VA Not much. Nothing.

CH There was a joint committee that approved a bill to remove criminal penalties for the use and possession of small amounts of marijuana. Do you recall the debate over that?

VA Yeah.

CH In 1973 I imagine that was probably a pretty hot issue.

VA I'm still trying to put things in my mind as to what happened when. I don't recall - that was a bill that got a lot of attention for Stafford Hansel, as I recall, and he voted for it. This was the possession of one ounce of marijuana would be a misdemeanor rather than felony?

CH Um-hmm.

VA I voted no. In that case it wasn't necessarily that I had any real strong feelings about the possession of one ounce of marijuana, although I didn't think it was a good idea. I thought it was wrong that the state should say that drugs were okay, which actually would - that did become the fact, that Oregon thinks it's okay if you have drugs, so the state now blesses that. Also, and it did happen, that I knew full well - you remember this nose-of-the-camel-under-the-tent concept - that they were going to try to expand it, which I guess would be the following session, because I recall the debate then. So those are the reasons I didn't support it. It passed, it passed the house, and Stafford Hansel, conservative Republican, votes yes and speaks in behalf of it and gets a lot of attention for doing it. It was a mistake. We shouldn't have done it, but we did it.

I'll jump, because on the next session Steve Kafoury - I remember this very specifically. This bill comes down, and I'm reading it - you remember I told you that I did the unspeakable thing of reading bills - and it was almost a ho-hummer. You know, I'm sitting there listening to it. It really expanded the legal use of drugs. And I remember very - it passed the house, it was over in the senate and just kind of going along, and I got

up and I said to my colleagues in the senate, Hey, you know, you may - if you want to do this, but I don't think you know what this bill is doing. And I wanted to explain to them what it was doing; not what Kafoury said it was doing, what it was really doing. Read it, look at it; see, it's right there. The bill failed on the floor of the senate. So it was just this matter of expanding the one ounce thing that you talked about earlier.

CH There was a bill that passed in the '75 session - jumping ahead as well - which lowered the penalties for transporting marijuana to a maximum of a one hundred dollar fine.

VA yeah. That's just a continuation of the same idea. But this you don't have because it didn't pass, the story I just told you.

CH You were vice-chair on the Environment and Land-Use Committee. This was the famous Senate Bill 100 that came up during the session. Ted Hallock was the chair of that committee, and I believe Hector Macpherson was the principal person behind its creation. What was the evolution of Senate Bill 100?

VA Well, we did talk about it before in which Senate Bill 10 was the first go-around at it, and it says, if you don't do it, we'll do it. That was the session before. Then comes along Senate Bill 100, which is always described to be ten times better [laughter]. I'm not sure where the bill came from, but, yes, Hector was the prime mover of it. The Environment Committee also had John Burns, Mike Thorne, and myself. Have you got it that way?

CH Yes. Mike Thorne, Jack Ripper, and Wingard.

VA And John Burns?

CH And John Burns.

VA Basically, Mike Thorne, John Burns, and I, but John, it depends on [inaudible], we were swing votes on that bill, and we knew it. I do recall - you know, if one were to read the original Senate Bill 100, there were a lot of things in there that were just - they weren't good in my terms of what is democracy all about. I do recall people would just, Oh, is that right? We could give our authority for land-use planning to a regional land-use body, meaning outside the state of Oregon.

CH Oh, really?

VA Yes, really. That wasn't, of course, in the bill. We kept ~~modeling~~ modeling the bill and molding it and moving it around; not that we didn't think - well, maybe Mike may not have thought we needed it at all because...

CH Was there any kind of structure for a regional land-use board?

VA Well, they would continue to move regional. This whole period of time was, regional government is more efficient, and, you know, all the rest, and there was CRAG ^(Columbia Region Association of Governments) and Metro government. That's one of those tragedies that has occurred in our society. But it could be Region 10 of the federal government. You know, who knows? Well, certainly I didn't want anybody else doing it beside us. It was very, very controversial every step of the way. I can't recall details of amendments that

were proposed, amendments meaning delete something or add something, but I was a swing vote, Mike Thorne was, John Burns was, and so we were - we could manage to make some sanity out of this whole thing. Actually, this had a kind of a uniqueness to it because the bill came down - it was very controversial on the floor of the senate. We, the committee, had asked that a statement be printed in the Journal, which it is, that - and I'm going to paraphrase it because I don't recall the language altogether, but that it is not the intent of the state to locally land-use plan, that that should be left to the local jurisdictions, cities and counties. The idea was that we had goals, and that they could do their own individual planning, whatever that might be, but it had to match the goals. That's how it would pass or not pass. We wanted to make sure the state was not going to reach down and say, Portland, on Eighty-second Avenue you've got to do something, that kind of thing. So there's a statement printed in the journal. It's there. That's part of history.

After '73 there was this - I guess a commission. I don't recall exactly, but anyway, they traveled the state to adopt the goals. There were - I think I'm correct - fourteen statewide goals, and then there were some specific goals for the coast, an additional four or five. So the coast would have eighteen or nineteen goals, the rest of the state would have fourteen goals. And then the operation. We began to process of acknowledging plans in 1975, and it was not completed until ten years later. And I kept pushing. Now I'm governor, and I'm appointing the commission and I'm appointing the director of land-use planning, and I kept pushing them, Complete this job, which they did. So it was a long and very contentious - and you know also how many times it was on the ballot for repeal and all the rest.

CH What changes did you offer?

VA I can't recall all of them. I remember that one because I was so horrified by it, but I can't remember the rest. But I know there's numerous amendments, and that it finally ended up, at least to a reasonable degree as far as I was concerned. I, incidentally, thought there should be land-use planning. There was never any doubt in my mind about that. And I suppose a lot had to do with my living at Raleigh Hills. I said nobody should do what's happened at Raleigh Hills. I remember Bertha-Beaverton Highway as being a two-lane, mostly residential and know it today as a four-lane with - it's all commercial. So that's sort of my influence. I don't know if - I don't think Mike Thorne ever thought there should be one, coming from eastern Oregon. You know, they always had that contention, That's okay for you guys, but we don't need it out here, whether "out here" was Pendleton or - well, you can really imagine, why do need huge land-use planning for Joseph, Oregon, or Fossil, Oregon.

CH But wasn't part of the controversy - and I think we mentioned this before about, in central Oregon, the land speculation deals that were going through and people were just buying up big chunks of desert and dividing them into lots and selling them off to people who didn't know...?

VA But that's a real estate - we had bills on that. There were several suits and all kinds of things that dealt with real estate. And if somebody was going to really shaft you - I mean, that was - we actually ran that through the attorney general's office. We had provisions for that kind of thing. No, it was the Santa Clara Valley kind of syndrome. There needs to be

orderly development. And, yet, I kept saying, Show me the rape and pillage. The only places I could see rape and pillage that I know about was Eighty-second Avenue and Raleigh Hills. You know, after the huge state of Oregon and - you know, rather unfettered for all these years, it really wasn't all that bad. We just made it a little bit better. It is a protection, I think, and I'm very - I actually used it as a governor as a selling tool; not a negative, but a selling tool. You can pick your spot of land and you can go look at the plans, and you know what's going to happen around you. You can't do that, you know, almost anywhere else you go.

CH I understand that that has become a very successful approach.

VA Oh yeah, it's very useful.

CH That businesses now support it.

VA There was so much - still contention, you know. I can recall, and I consider it very legitimate - you know, they had - for example, I had working for me, as a governor, Bob Montgomery, who was a county commissioner in Deschutes County and a neat guy. As a commissioner he was talking about this land-use thing, and they were talking about what is agriculture land, and it is not agriculture land. You know, it's scrub and it's rocks and - but this is supposed to be ag land, and it isn't ag land.

CH But you come from Washington County, and you were representing Washington County. Washington County seems to be one of those places, maybe more so now than back then, but

probably even back then, where it did have superlative farmland, and, yet, there were sprawling developments that were happening through there. Within your own constituency was there a major division between, say, agricultural interests and developers?

VA Yeah. That's a tragedy, really, in a sense, because I think of myself, where I live, and it's an area called Broadmoor, there are restrictions on that development. It was developed by one builder. And so Senate Bill 100, land-use planning, would have absolutely no effect on me at all. I didn't make any kind of a contribution. Now, let's shift gears and let's go out to eastern Washington County, or anywhere you want to go in Washington County. There were a lot of farmers whose children really didn't want to continue in that hard-working business, so the farmer, because that's the way things were developing, was saying to himself, Okay, I'm just going to continue as long as I feel I want to continue, and this is really my savings account, this is my retirement fund, and so when I decide to quit, I'll subdivide it, sell it, and I'll get a lot of money and I can retire. Senate Bill 100 says to him, No, you can't do that. So they made a huge contribution to land-use planning. I didn't make any. Most anybody in Portland didn't make any. So yeah, the - and I could understand that.

I could also understand why we should protect the ag land. It's one of those times that's very hard when you've got a political philosophy that - I do believe in freedom, but this - in spite of everything I've told you, it's still important we have land-use planning. And I thought to myself the day may come when ag land is going to be much more expensive than subdivision land because there's not going to be that much of it. I'm sure land values have gone up. They went down during the recession,

they're back up again, but - and maybe that day will come. But we did take away the retirement fund of an awful lot of people, sometimes unnecessarily, back to Deschutes County ag land, it was scrub and rocks. That's dumb, pure and simply dumb. Now they talk about - there was a great discussion last session where they called it secondary. That's the term that's used now.

CH Right, secondary lands.

VA That's that stuff that was put in ag that really isn't ag.

CH I presume that Senate Bill 100 completely occupied that committee during the session.

VA It was pretty consuming, yes.

CH There were other supplemental bills, though, weren't there, that added to Senate Bill 100 regarding some of the other issues around land-use?

VA Yes, there were always bills. One of the other dumb things: I own a farm, and I have my home on the farm, and I have my son who wants to continue, but he can't build a home on the farm, those kinds of discussions, which were legitimate. Those were real legitimate. That didn't make any sense at all, why a member of the family - we had to pass special legislation later on to allow that to happen, and that doesn't make any sense at all to do that.

Yeah, there were a whole lot of contentious issues, a whole lot of them. The fact is that when you wash it all down, we did the right thing.

CH You were on Per Diem, the Per Diem Committee, with Roberts and Groener.

VA That was one of the perfunctory things.

CH And Revenue.

VA Revenue, yes.

CH Cook was chair of that, and Boe and Wingard, yourself, Brown, Burns, Groener and Hoyt. What was that committee dealing with?

VA This is where I really wish I had a better recollective memory. Whether it was that session or the following session, Boe actually removed Cook from the committee because he wasn't letting a bill go through.

CH This regards tax matters, isn't that right?

VA yeah.

CH Well, I notice that you sponsored a bill, Senate Bill 479, regarding taxation, amending the definition of inventory for the purposes of inventory tax exemption. I know that we talked a little bit about this in concept regarding, say, the inventory that you have here for your carpets. What else did this - was this meant to address?

VA Well, some of it's technical. I don't know what that bill is. Eventually Jason Boe was the one that really got it cranked up and - because everyone presumed I had a self-interest. It

worked out to be a self-interest, but actually I had a knowledge, is really what I had. But there was always about - for example - and this may sound really strange, but to show you how technical this gets - is livestock personal property or is it real property? Is a piece of machinery in a building, is it real property or personal property? This means now we're getting into personal property, which is inventory. If it's bolted down, maybe it become real property, but you can unbolt it and take it away. You know, whether it's moveable, immoveable, there's all kinds of technical stuff that relates to all of this. That may have been it. Jason Boe really finally got a bill in to phase it out over a ten-year period of time. That's how it finally happened. And so it was 90 percent, 80 percent, 70 percent, and it - I don't recall now; it's been some time now it's been off the ~~rates~~^{ROLL} altogether. But it was an unfair tax. It just was an uneven, unfair tax, that's all.

CH Some of the other bills that you sponsored in that session, one was Senate Bill 150 to repeal an ordinance - statute for procedures of the Fair Dismissal Appeals Board that was tabled. Do you recall the issues around that?

VA Say that once more?

CH It was Senate Bill 150, and it was to appeal ORS 342.960 regarding the procedures of the Fair Dismissal Appeals Board.

VA I don't recall. I can remember the issue. It finally came to a giant head in the sense that - and I lost on that one - the - no, that's not it, either. No, I can't remember that.

CH What was the Fair Dismissal Appeals Board?

VA That would be an appeal if ^{A total} you were dismissed, a place you can go to.

CH From your work?

VA Well, that really, basically, was education. Teachers.

CH There was a couple of interesting bills that you sponsored, and I don't know what they were referring to, but Senate Bill 348 was relating to boiler and pressure vessel inspection. Why would you end up having something like that at all?

VA Oh, oftentimes AOI would come, and their members would have some problems with boiler inspection. I chuckle because somehow in my mind it's come up before, but I don't recall specifically. It's very much like - I laugh about it. Denny Jones, who's still now a member of the legislature, he didn't think it was funny at all, but every once in a while - well, almost every session we have a Leaky Load Bill. A leaky load would mean that, you know, you harvest peas and you take them to the processing plant, then you had all this stuff where you'd feed, but it was leaky. So if you're driving behind that truck and that leaky load, it would get all over your car.

CH He talked about that.

VA Yeah. Denny Jones doesn't think - I thought it was pretty funny because it comes up every session. Every session it came up. But Denny Jones didn't think it was very funny. He didn't see much humor in it, and I did.

CH Well, of course, I imagine it probably affected him a lot, being a rancher in southeast Oregon.

VA Yeah, but he was watching out - he didn't - I don't think he carried any leaky loads, but he had friends that did, so - and, by God, we're out here; leave us alone. We don't need you folks [laughter].

CH You had a couple of others which seemed rather generic. One was regarding motor vehicles, another one state finance, and another one regarding motor vehicles' operators' license.

VA You don't know which committee that was in?

CH No. I've got the senate bill numbers on them.

VA No, I can't recall specifically. I think I told you earlier I was just really very strong on drunken drivers, driving with suspended licences, that whole field of - that was a personal...

CH You were on the Transportation Committee that session. Maybe it was that committee. It was in this term. Howard was the chair?

VA Yeah, he was constant chair. I was on the Transportation Committee one time, and, by George, I do remember Bonita Howard, who was not the same Howard as this one, and she was with the Department of Transportation. I was a new member on Transportation, and she came to see me about bills and how I felt about certain things, and we got into drinking and driving, and she was a little cautious because she wasn't quite sure who I was and where I was coming from. And I said to her, "Bonita, I'll tell you something -" I happened to know who she was - "I am willing to go for capital punishment on this, so we'll compromise anything below that. All I'm trying to do is give you a full, strong feeling of how I feel about a drunken driver." Now, first

of all she was kind of scared, then she understood how I was trying to make a point [laughter].

CH Just in reference, again, to your Environment and Land-use Committee, what was Ted Hallock like as a chair?

VA Oh, I described Ted earlier to you. He was just like a skyrocket. He'd just go [sound effect], he'd go shooting off, and all you had to do was sort of stand back and let ~~it~~^{it} come...

[End of Tape 15, Side 1]