

Office of the Governor State of Oregon



Gov. Vic Atiyeh
State Capitol
Salem, Oregon
378-3121

August 21, 1980

AUG 22 1980

BILL SIGNED BY GOV. VIC ATIYEH DURING THE 1980
OREGON LEGISLATIVE ASSEMBLY (August 4-8, 1980) Governor Atiyeh

17 total bills*	These bills were signed between 10:26-
9 House bills	10:30 a.m. on Wednesday, Aug. 20,
8 Senate bills	in the governor's ceremonial office.

HOUSE BILLS (9)

3179-Temporary leave from penal or correctional institutions
 3181-Formula for establishing a school district's share of
 reduction as Basic School Support declines
 3182-Quarterly insurance premium tax payment
 3183-Quarterly estimated personal income tax payments
 3184-Requiring a statement of methodology and assumptions
 used by the Executive Department in making revenue estimates
 3185-Correction bonding election measure
 3187-Pertaining to Lane County Local Government Boundary Commission
 3188-Pertaining to the Portland Metropolitan Area Local
 Government Boundary Commission
 3189-Pertaining to Marion-Polk Counties Local Government Boundary
 Commission

SENATE BILLS (8)

978-Transferring \$152,106 from the State Fire Marshal Fund annually
 to the General Fund.
 979-Re: Juvenile Services Commission
 980-Abolishes World War II Veterans' Bond Sinking Fund
 981-Adult and Family Services Division--Energy Designation
 982-Abolishes the Civil Defense Injury Fund of the Dept. of Justice
 984-Adult and Family Services Division--deletes requirements
 of sending notice of delinquent support payments by certified mail
 5560-General Fund disappropriation bill
 5561-Capital construction

1979 BILLS VETOED BY GOV. WHICH WERE OVERRIDDEN AND BECAME LAW IN SPECIAL SESSION:

SB 458-provides protection for employes against discrimination and
 awards damages
 SB 890-moratorium on construction and land development
 SB 930-Re: auto dealers

*[NOTE: House Joint Resolution 53, authorizing sale of General
 Obligation Bonds to establish a correctional facility building fund,
 was passed by the Senate and House. It did not require the governor's
 signature and is not included in the bill total listed above.]

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Gov. Vic Atiyeh
State Capitol
Salem, Oregon
378-3121

July 14, 1980

VETOES BY GOVERNOR VIC ATIYEH OF BILLS PASSED
BY THE 1979 OREGON LEGISLATIVE ASSEMBLY

HB 2137---confidentiality of records

HB 2967---"billboard bill"

HB 2520---registration of electrologists

HB 2377---overriding OLCC rule on food sale requirement

HB 2759---increases juror challenges in death penalty cases

HB 2772---gives criminal case defendant right that judge
instruct jury re: lesser crime

HB 2487---changes in public employees retirement law

SB 11-----concerning auctioneer registration, abolish Board
of Auctioneers, etc.

SB 111-----empowers juvenile court to order care, placement,
supervision child committed to CSD to receive

SB 274-----prohibits operation of air craft by intoxicated
person

SB 689-----classify State Board of Parole members as police
officers for enhanced benefits

SB 906-----clarify, update state law re: controlled substances

SB 58-----new language amending def. of "collective bargaining"

SB 201-----abolishes wage and hour commission in 1981, transfers
appointment authority from Gov. to Labor Commission

SB 890-----moratorium on construction and land development

SB 562-----places burden of proof with defendant in suits to
enforce public meetings law

SB 930-----re: auto dealers

SB 19-----wine warehousing

SB 458-----provides protection for employes against discrimination,
awards damages for

NOTE: Copies of veto messages attached)

-MORE/OVER-

BILL SUMMARY

903 Bills passed by the Legislature

878 Bills signed into law by Gov. Atiyeh

6 Bills allowed to become law without the Governor's signature
(4 House Bills and 2 Senate Bills)

19 Bills vetoed by the Governor (12 Senate Bills and 7 House Bills)

First Bill signed 1/30/79 was SB 5550, the legislative appropriation measure

Last Bill signed HB 3097 prohibiting the sub minimum wage
(signed at 6:40 p.m. 7/26/79)

First Veto was HB 2137 6/30/79 Corrects statute reference regarding confidentiality of records collected pursuant to public contract law

Last Veto was SB 19 relating to warehousing of wine (vetoed message signed at 9:11 a.m. 7/27/79)

Allowed to become law without signature:

SB 13 relating to political activities of OLCC licensees

SB 252 relating to bedding regulations

HB 2479 defines "danger or threat to the welfare of the public"

HB 2529 relating to smoking bans

HB 2540 relating to property tax

HB 3144 relating to Crabtree Valley property

VICTOR ATIYEH
GOVERNOR



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM, OREGON 97310

June 29, 1979

Honorable Hardy Myers
Speaker of the House of Representatives
State Capitol
Salem, Oregon

Dear Speaker Myers:

I am returning herewith House Bill 2137, unsigned and disapproved pursuant to Section 15b, Article V, Oregon Constitution.

I realize this bill passed both chambers of the Legislative Assembly without a dissenting vote. However, there are three reasons why I believe this bill should not become law.

First, Oregon has established by ORS 192.410 to 192.500 a unified public records act. ORS 192.420 provides that all records are public unless exempted under ORS 192.500. Thus, a person presently is required to look to a single statute to determine the confidentiality of any public record. Passage of House Bill 2137 would begin the process of creating numerous scattered exemptions, which would be misleading to the user of the statutes.

Second, the confidentiality of the records can be established within the public records act by amending ORS 196.500(2)(h) to include ORS 279.355 within the enumerated statutes. When the purpose of the bill can easily be achieved by a small amendment to the existing public records act, this purpose should not be achieved by a new act.

Third, by precluding the application of the public records act, House Bill 2137 does far more than establish the confidentiality of the records in question. Because the provisions of the public records act pertaining to administrative and judicial review of denial of access also are precluded, the bill in effect makes the Commissioner of Labor the sole judge of what is a confidential record, leaving those requesting access with no forum in which to appeal the Commissioner's denial.

Sincerely,

Victor Atiyeh
Governor

-MORE/OVER-

VICTOR ATIYEH
GOVERNOR



HB 2967

OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM, OREGON 97310

July 12, 1979

Honorable Norma Paulus
Secretary of State
State Capitol
Salem, Oregon 97310

Dear Mrs. Paulus:

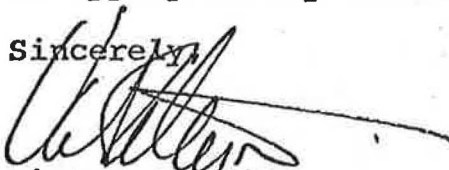
I am filing herewith House Bill 2967, unsigned and disapproved pursuant to section 15b, Article V, Oregon Constitution.

The matters of billboard removal and compensation are ones I have voted upon affirmatively as a state legislator. I have no question or reservation about those decisions. I should, therefore, make it clear that this veto is not a signal that I approve removal of billboards without compensation arrived at in a just manner.

At the beginning, however, my concern had been the problem of mandating fiscal actions upon local government. In the end, it was this principle that prevailed.

The constitutional issue of whether sign removal is a taking for which the sign owners are entitled to "just compensation" is appropriately one for the courts to decide.

Sincerely,



Victor Atiyeh
Governor

VA:sc

-MORE-

VICTOR ATIYEH;
GOVERNOR



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM 97310

July 26, 1979

The Honorable Norma Paulus
Secretary of State
State Capitol
Salem, OR 97310

Dear Mrs. Paulus:

I am filing herewith House Bill 2520, unsigned and disapproved.

This bill would require registration of electrologists with the Department of Commerce and the regulation of schools of electrolysis by the Superintendent of Public Instruction.

I am vetoing this bill because statutes establishing licensing provisions and regulations for electrologists were repealed by the 1977 Legislature and no significant negative consequences to the public have resulted during the ensuing two years; because the funds available under this bill are not sufficient to finance adequate enforcement; and because persons practicing electrolysis can provide services adequately without registration or regulation.

Sincerely,

Victor Atiyeh
Governor

VA:rg

cc: Honorable Jason Boe
Honorable Hardy Myers
Jane Huston

-MORE/OVER-

VICTOR ATIYEH
GOVERNOR



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM 97310

July 26, 1979

The Honorable Norma Paulus
Secretary of State
State Capitol
Salem, OR 97310

Dear Mrs. Paulus:

I am filing herewith House Bill 2377, unsigned and disapproved.

This bill provides that gross receipts from the sale of food must drop below 15% of the gross receipts from the sale of both food and alcoholic liquor on licensed premises before the Oregon Liquor Control Commission could take action to suspend or revoke the license.

I am vetoing this bill because the voters in 1952 adopted an amendment to the Oregon Constitution providing that this type of license would be issued to commercial establishments where food is cooked and served. This bill, by providing that 85% of the gross receipts can be from the sale of intoxicants while only 15% may be from the sale of food, circumvents this constitutional amendment. Further, the flexibility of the present system should be retained by allowing the percentage to be set by administrative rule rather than by a statute, especially in times like the present where applicants far outnumber available licenses.

Sincerely,

A handwritten signature in dark ink, appearing to read "Victor Atiyeh", with a long horizontal line extending to the right.

Victor Atiyeh
Governor

VA:rg

cc: Honorable Jason Boe
Honorable Hardy Myers
C. Dean Smith

VICTOR ATIYEH
GOVERNOR



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM 97310

July 26, 1979

The Honorable Norma Paulus
Secretary of State
State Capitol
Salem, OR 97310

Dear Mrs. Paulus:

I am filing herewith House Bill 2759, unsigned and disapproved.

This bill increases the number of peremptory challenges from twelve to eighteen for the defendant and from six to nine for the state to excuse jurors in death penalty cases. If two or more defendants are tried together, the number is increased to thirty-six for the defendants and eighteen for the state, a total of fifty-four peremptory challenges. The bill also alters procedures for the exercise of peremptory challenges by requiring the state to exercise all its challenges and the defendant thereafter exercising all of his.

I am vetoing this because the additional peremptory challenges for death penalty cases are not necessary. An impartial jury can be secured in such cases under present law without the increase in cost and decrease in efficiency which this bill would impose on our court system.

Sincerely,

Victor Atiyeh
Governor

VA:rg

cc: Honorable Jason Boe
Honorable Hardy Myers

VICTOR ATIYEH
GOVERNOR



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM 97310

July 26, 1979


Honorable Norma Paulus
Secretary of State
State Capitol
Salem, OR 97310

Dear Mrs. Paulus:

I am filing herewith House Bill 2772, unsigned and disapproved.

This bill gives the defendant in the trial of any criminal case the right to require that the judge instruct the jury concerning any lesser crime that is supported by the evidence. Under existing law, both the prosecution and defense are entitled to instructions concerning "lesser included" offenses. To extend to the defendant the right to have instructions concerning any "lesser" offense will inevitably lead to lengthy and confusing instructions and consequently, in some cases, ill-advised verdicts. Criminal trials could be easily sidetracked from the main issues. For example, in a bank robbery case, the trial could be consumed with the issue of whether the getaway car exceeded the speed limit. The only object that can be served by this bill is to make criminal trials confusing and lengthy.

Sincerely,



Victor Atiyeh
Governor

VA:sb

cc: Honorable Jason Boe
Honorable Hardy Myers



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM 97310

July 25, 1979

Honorable Norma Paulus
Secretary of State
State Capitol
Salem, Oregon 97310

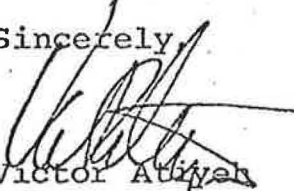
Dear Mrs. Paulus:

I am filing herewith House Bill 2487, unsigned and disapproved.

House Bill 2487 makes changes in the public employes retirement law. In this instance, the multiple applied to the final average salary to determine the level of pension is increased in the case of police officers, firemen and members of the Legislative Assembly.

The estimated annual cost for state government under this measure is \$188,670, and for political subdivision, \$260,348 -- a total of nearly half a million each year. I have not seen a convincing demonstration of need to increase benefits for selected groups of retirees. It may be that increased compensation is needed for the categories described in these bills, but this should be done in a straightforward manner that does not compound inequities in the public employes retirement law.

Sincerely,


Victor Atiyeh
Governor

cc: Honorable Jason Boe
Honorable Hardy Myers

-MORE/OVER-

VICTOR ATIYEH
GOVERNOR



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM, OREGON 97310

July 24, 1979

Honorable Norma Paulus
Secretary of State
State Capitol
Salem, Oregon 97310

Dear Mrs. Paulus:

I am filing herewith Senate Bill 11, unsigned and disapproved.

This bill would continue registration of bonding of auctioneers, abolishing the Board of Auctioneers, and transferring to the Department of Commerce various regulatory responsibilities.

I am vetoing this bill because my budget endorsed the "sunset" of this regulatory activity, which I view as unnecessary. Moreover, revenues available under this bill are insufficient to finance adequate enforcement of its provision. I cannot approve legislation which establishes a regulatory scheme, but does not give those responsible the means to do an adequate job.

Sincerely,

Victor Atiyeh Governor

VA:oc

cc: Honorable Jason Boe
Honorable Hardy Myers
Jane Huston

VICTOR ATIYEH
GOVERNOR



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM 97310

July 24, 1979

The Honorable Norma Paulus,
Secretary of State
State Capitol
Salem, OR 97310

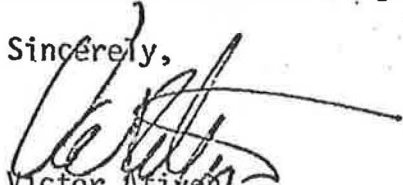
Dear Norma:

I am filing herewith SB 111 unsigned and disapproved.

The principal provisions of this bill empower the juvenile court to order the specific care, placement and supervision which a child committed to Children's Services Division is to receive. Under existing law, the child is committed to Children's Services Division who in turn prescribes the appropriate care, placement and supervision within the resources available to the agency.

Children's Services Division is charged by law with administering the programs authorized by the legislature. If it is to perform that function, it must retain the authority to manage these programs. The effect of this bill would be to make the 75 juvenile court judges in the state the managers of Children's Services Division with the power to determine the allocation of revenues within that agency. Such result is not only impractical, but constitutes an unwarranted intrusion by the judiciary into the operations of the legislative and executive branches of government.

Sincerely,



Victor Atiyeh,
Governor

VA/gh

-MORE/OVER-

SB 274

VICTOR ATIYEH
GOVERNOR



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM 97310

July 24, 1979

Honorable Norma Paulus
Secretary of State
State Capitol
Salem, Oregon 97310

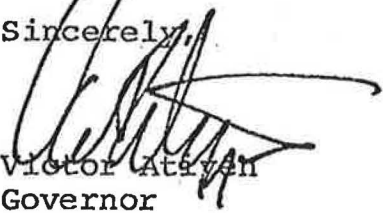
Dear Mrs. Paulus:

I am filing herewith Senate Bill 274, unsigned and disapproved.

I have no objection to the purpose of the bill. It prohibits operation of aircraft in the air, on the ground or on the water, by a person who has a .03 percent blood-alcohol reading, or is under the influence of intoxicating liquor or a controlled substance. It also prohibits the drinking of any alcoholic liquor in an aircraft while one is operating the aircraft.

My objection is that the Legislature here is attempting to legislate on a matter of national concern. The Federal Aeronautics Administration has an extensive regulatory enforcement network in place. Severe sanctions are imposed on any pilot who flies while intoxicated. Indeed, there is a strict rule requiring eight hours of abstention from alcoholic beverages prior to flight.

Allowing this bill to become law would contribute toward a conflicting patchwork of statutes governing cross-country flying, and its enforceability in Oregon would be problematical.

Sincerely,

Victor Atiyeh
Governor

VA:0C

cc: Honorable Jason Boe
Honorable Hardy Myers

VICTOR ATIYEH
GOVERNOR



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM 97310

July 24, 1979

Honorable Norma Paulus
Secretary of State
State Capitol
Salem, Oregon 97310

Dear Mrs. Paulus:

I am filing herewith Senate Bill 689, unsigned and disapproved. This measure would have classified members of the State Board of Parole as police officers, for purposes of the Public Employes Retirement law, eligible for the enhanced benefits arising from that classification.

The rationale for this measure is that members of the board, by reason of their official actions, sometimes receive threats from persons who are not paroled and from friends of these persons. I do not view this as an adequate basis for classifying them as police officers. Threats frequently are received by the Governor, his staff, attorneys in the Department of Justice, and District Attorneys throughout the state. If exposure to threats is to be made the basis for some kind of enhanced compensation, it should be done in a manner other than classifying officials receiving such threats as police officers, when in fact they are not.

Sincerely,

A handwritten signature in black ink, appearing to read "Victor Atiyeh", written over a horizontal line.

Victor Atiyeh
Governor

VA:oc

cc: Honorable Jason Boe
Honorable Hardy Myers
Bill Cogswell

VICTOR ATIYEH
GOVERNOR



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM 97310

July 24, 1979

Honorable Norma Paulus
Secretary of State
State Capitol
Salem, Oregon 97310

Dear Mrs. Paulus:

I am filing herewith Senate Bill 906, unsigned and disapproved.

The stated purpose of this bill was to clarify and update Oregon's law relating to controlled substances, formerly described as narcotic drugs. In so doing, however, the bill made changes which are unacceptable to me and have led me to veto the measure.

First, the bill deletes existing provisions which specify the amount of the substance known as marijuana which may be possessed by a person, so as to subject that person to punishment for a violation with a fine of not more than \$100. This amount currently is specified as a maximum of one ounce. The bill vests in the Committee on Controlled Substances authority to specify a corresponding amount. I do not believe it appropriate to delegate a determination of this nature to an administrative body. Issues of such great social concern and controversy should be decided in the legislative forum.

Second, the bill requires prosecutors to undertake both qualitative and quantitative analysis of substances relevant to criminal prosecutions. The Oregon State Police have estimated that the cost during the coming biennium, in terms of additional work to be performed by the State Crime Laboratory, would approach \$300,000.

For these reasons, it is my judgment that Senate Bill 906 should not become law.

Sincerely,

Victor Atiyeh
Governor

VA:oc

cc: Honorable Jason Boe
Honorable Hardy Myers

-MORE-

SB 58

VICTOR ATIYEH
GOVERNOR



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM, OREGON 97310

July 26, 1979

Honorable Norma Paulus
Secretary of State
State Capitol
Salem, Oregon 97310

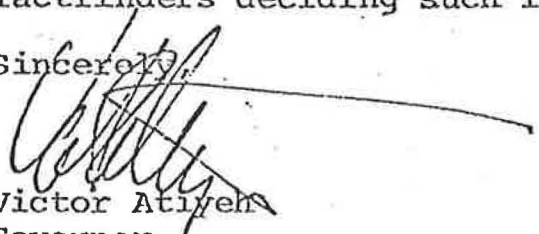
Dear Mrs. Paulus:

I am filing herewith Senate Bill 58, unsigned and disapproved.

My objections to this bill are to the language amending the definition of "collective bargaining" in ORS 243.650, which is part of the public employees collective bargaining law. The first sentence of the new language is merely a restatement of the existing law. The second sentence, if read literally and in conjunction with the entire definition, would repeal well-established labor law principles relating to bargaining in good faith. Indeed, either party could introduce proposals concerning permissible subjects of bargaining "at any time" without sanction for bargaining in bad faith.

The sponsors of the bill contend the purpose of the new language is to avoid costly litigation over the issues concerning what are and are not permissive subjects of bargaining, and to avoid the need for mediators, factfinders and arbitrators to make decisions on these issues. While I sympathize with the objective, the bill is an inappropriate solution to the problem because it would in effect have mediators, factfinders and arbitrators attempting to resolve permissive issues of bargaining. The appropriate solution is to provide a speedy and inexpensive procedure whereby the parties can obtain a decision from the Employee Relations Board. I have asked the board to institute such procedures. It is clearly contrary to the policies embodied in the Public Employees Bargaining Act to have mediators and factfinders deciding such issues.

Sincerely,


Victor Atiyeh
Governor

-MORE/OVER-

VA:sb

SB 201

VICTOR ATIYEH
GOVERNOR



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM 97310

July 26, 1979

Honorable Norma Paulus
Secretary of State
State Capitol
Salem, Oregon 97310

Dear Mrs. Paulus:

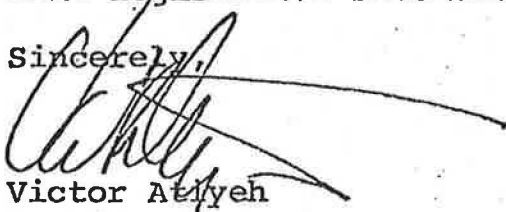
I am filing herewith Senate Bill 201, unsigned and disapproved.

This bill transfers the appointing authority for the Wage and Hour Commission from the Governor to the Labor Commissioner and abolishes the commission in 1981.

The Wage and Hour Commission was established in order to have an independent commission to make policy decisions concerning the minimum wage and child labor laws. That independence would be undermined if the appointing authority is vested in the state agency that is directly charged with administering these laws.

I agree with the Labor Commissioner, who sponsored this bill, that the statutes relating to the administration of the minimum wage and child labor laws need revision. However, merely abolishing the commission in 1981 is not a sound method for accomplishing that objective. The substantive principles embodied in those laws should be retained. I look forward to working with the Labor Commissioner during the biennium in attempting to iron out a feasible administrative program for presentation to the next legislative session.

Sincerely,


Victor Atiyeh
Governor

-MORE-

VA:sb

cc: Honorable Jason Boe
Honorable Hardy Myers

VICTOR ATIYEH
GOVERNOR



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM 97310

July 26, 1979

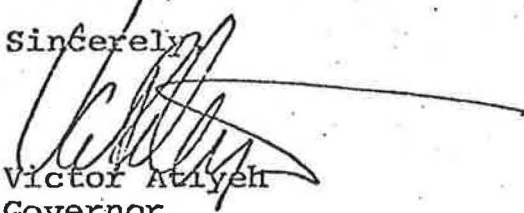
Honorable Norma Paulus
Secretary of State
State Capitol
Salem, OR 97310

Dear Mrs. Paulus:

I am filing herewith Senate Bill 890, unsigned and disapproved.

The bill proscribes detailed conditions under which a local government may declare moratoria on construction and land development. The decision by a community to impose a moratoria is one that should be made by the democratically elected governing body and should not be subjected to conditions imposed by the state beyond those imposed by existing land use laws. Such decisions are inherently legislative in nature. It is inappropriate, as this bill provides, to require local governing bodies, when acting in the legislative capacity, to make elaborate findings of fact. The legislature does not make findings of fact with respect to laws it passes. The same standards should apply to local government when acting in a legislative capacity.

Sincerely,



Victor Atiyeh
Governor

VA:sb

cc: Honorable Jason Boe
Honorable Hardy Myers

-MORE/OVER-

SB 562

VICTOR ATIYEH
GOVERNOR



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM 97310

July 26, 1979

Honorable Norma Paulus
Secretary of State
State Capitol
Salem, Oregon 97310

Dear Mrs. Paulus:

I am filing herewith Senate Bill 562, unsigned and disapproved.

This bill provides that in a suit to enforce the public meetings law, if the plaintiff presents a prima facie case, then the burden of proof shifts to the defendant. The bill will not have any practical effect other than to confuse the trial. Normally the party who has the burden of proof has the burden of going forward with the evidence and the burden of persuasion. This bill does not alter the former, but shifts the burden of persuasion if the plaintiff presents sufficient evidence to avoid a directed verdict. At that point in a trial it is doubtful that the burden of persuasion has any effect on the judge's final decision. The trial judge's decision inevitably will be based upon the weight of the evidence. The bill merely adds a technicality into the trial process, the only impact of which will be to create a source of contention for the contentious.

Sincerely,

A handwritten signature in dark ink, appearing to read "Victor Atiyeh", written over a horizontal line.

Victor Atiyeh
Governor

VA:sb

cc: Honorable Jason Boe
Honorable Hardy Myers

-MORE-

VICTOR ATIYEH
GOVERNOR



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM, OREGON 97310

July 27, 1979

Honorable Norma Paulus
Secretary of State
State Capitol
Salem, Oregon 97310

Dear Mrs. Paulus:

I am filing herewith Senate Bill 930, unsigned and disapproved. This bill provides a comprehensive regulation of the relationship between auto manufacturers and their dealers.

In 1975 the Oregon Legislature enacted a comprehensive state anti-trust law, which protects dealers against monopolistic practices or any practices which constitute an unreasonable restraint of trade. Dealers also may seek relief under the federal anti-trust laws -- the Sherman Act and the Clayton Act. There is a long line of litigation in which automobile dealers have been successful under the anti-trust laws for practices of automobile manufacturers which interfere with competition.

It is not the intent of anti-trust laws to protect retailers against competition. I view this bill as having that effect, to a considerable extent, and as being inconsistent with the free-enterprise system. It is for this reason that I have vetoed the measure.

Sincerely,

Victor Atiyeh
Governor

VA:cc

-MORE/OVER-

VICTOR ATIYEH,
GOVERNOR



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM 97310

July 27, 1979

The Honorable Norma Paulus,
Secretary of State
State Capitol
Salem, OR 97310

Dear Norma:

I am filing herewith SB 19 unsigned and disapproved.

This was one of the most difficult bills I considered this session. During my deliberations I personally reviewed all the comments, letters and phone messages that came to my office relating to this bill.

Among its supporters are members of the Oregon Legislature for whom I have the highest personal regard and who have consistently been my loyal supporters. Not to be overlooked on the other hand are the numerous letters of concern by people employed by small distributors around the state who fear they may lose their jobs. Clearly I am not unsympathetic to their position. Additionally, scattered throughout Oregon are friends of mine who are small business people in the distributor field who support this bill.

However, this bill is contrary to basic principles of competition within our free enterprise system. The alcoholic beverage industry is strictly regulated but over the years, in the case of wine, the distribution system has developed in a free competitive atmosphere.

The business environment for small distributors must not be allowed to deteriorate. In addition to my opposition to this bill, I will not support legislation to allow central warehousing of beer.

It is with genuine mixed emotions that I veto this bill.

Sincerely,

Victor Atiyeh,
Governor

-MORE-

VA/gh

VICTOR ATIYEH
GOVERNOR



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM, OREGON 97310

July 26, 1979

The Honorable Norma Paulus
Secretary of State
State Capitol
Salem, OR 97310

Dear Mrs. Paulus:

I am filing herewith Senate Bill 458, unsigned and disapproved.

The bill provides protection for employes with regard to wage claims and provides for an award of damages for employes injured by certain acts of discrimination or by unauthorized withholding of wages. The bill further declares any discharge, demotion, suspension or discrimination against any employe for testifying before the Legislative Assembly or any of its committees to be an unlawful employment practice with the employer subject to civil and criminal penalties and injunctive relief including rehiring with payment of back wages. Because reference is specifically made to ORS 659.010 to 659.110, state agencies are included as employers.

I am vetoing this bill with great reluctance because its provisions indeed are salutary. However, the bill as it is presently drafted would allow unclassified state employes as well as classified state employes to testify before legislative committees with virtually complete job security even when such testimony is contrary to the positions taken by agency directors concerning bills, programs and executive appointments. Unclassified employes are hired for politically sensitive positions, and the application of this bill to such employes would create unworkable and intolerable situations. This decision is based solely on the application of this bill to the unclassified service employe, and does not reflect one way or the other on the application of the bill to classified service employes, who may be adequately protected under other statutes.

Sincerely,

Victor Atiyeh
Governor

VA:rg

cc: Honorable Hardy Myers
Honorable Jason Boe