

Tape 21, 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 February 4, 1993, and this is Tape 21, Side 1.

I had just asked you about Speaker of the House Phil Lang, and his being stripped of his power by the six-man coalition from the Rules Committee. How did this come to be? What's the story behind this?

VA These were conservative Democrats. I'm trying to remember exactly. I know what they did; I'm trying to remember...

CH Who it was?

VA No. I know some of them, I remember some of them. Jeff Gilmour was one. He was a fellow from Silverton. Anyway, they - what they did was not allow - the speaker couldn't be the only that would assign bills to committee. The speaker picks the chairmen, selects the committee members on it, and has exclusive right as to where bills go, and they took that away from him. By that time the committees had been assigned, but they took that authority away from him. I'm trying to recall what they called that. They gave it a name.

CH It wasn't the six-pack, was it?

VA No. I can't recall it now. That was over in the house. You know, us elder statesmen watched this with amusement. No, it was traumatic.

CH But, of course, I would imagine that turmoil like this in the house would affect the productivity and of bills reaching the senate.

VA It was very disruptive, and my own personal view was that it was a terrible mistake. I may disagree with where the presiding officer sends bills, but if that's the system, then that's the way it ought to operate, and I didn't think disrupting that or sending bills by committee was a good idea. But I wasn't a party to whatever was going on over there; they were doing it on their own. There were six of them. How they achieved that, I just don't recall that, but I know it was very disruptive.

CH What was so contentious about Phil Lang as speaker to prompt this?

VA I think it began with committee assignments and those who didn't get the kind of committee assignments they thought they ought to have. That probably was the very beginning of it. Somehow we're going to get you for doing it. These were conservative Democrats, they were quite conservative, and they just decided they were going after Phil, and they managed it.

CH Was he able to survive intact?

VA Well, he stayed there because he was speaker and he ran the show, but it was not a good situation.

CH Governor Straub's top priority bill was to create a state power authority, and that was approved. Do you recall the issues surrounding that?

VA Yeah. I'm trying to - that one I do have some recollection, although it's not very sharp in my mind, and I recall working with it. I can recall not being opposed to it. I really would like to maybe see that. That was an important bill to him. Maybe if we get some note, you can copy that page out of the Journal and get back to that.

CH Okay. I've got that at home. I'll bring that in for our next session.

Lawmakers also voted to increase benefits for workers with permanent partial disabilities but refused to increase unemployment benefits. I presume that this wasn't on one of your committees.

VA I wasn't on Labor, no.

CH And grants to the low-income elderly for utility rate relief and home insulation programs passed, but a measure to allow makers of false teeth to sell directly to the public died.

VA That was a very - denturists, they call them. These are people that actually did lab work for dentists and made false teeth, and so they wanted the right just to cut out the dentist, just make false teeth for people, and it was going to cost them less. The concern was, do you really have the capability of doing it. I'm doing some guessing, but, you know, you pull the teeth, and there's swelling, and you have to wait till the swelling goes down, and then you have to get the right mold and all that kind of stuff, and then there's always adjustments to them, I understand, and whether or not they had the proper professional skills to do that sort of thing. I don't think I supported that bill, but I think - well it did pass.

CH Another bill approved would raise the maximum income limit in order to qualify for home owner/renter property tax refunds from \$15,000 a year to \$16,000 a year.

VA That was just a matter of inflation. Remember we talked about a circuit breaker?

CH Yes.

VA That's just - this is a tip of a circuit breaker thing, meaning that over that amount you couldn't get the relief.

CH Lawmakers also passed a measure to allow terminally ill persons to order that extraordinary life-saving measures be withheld. That was sort of the beginning of this controversy, wasn't it, where...?

VA The euthanasia. I voted against that.

CH And your reasoning for that?

VA I was concerned - I did realize that euthanasia was going on. All this really does, what all of is designed to do, really, is to legally protect the doctor. If this is done and the relatives say yes, then they can't come back and say, You killed my mother or my father. He can't be sued. I was aware that this was going on, sort of on an ad hoc basis, and, obviously, agreed upon by the family. My concern was that if you now legalize it, that there might be more of it, because now there is no - there is a legal protection for the doctor, and it would be easier to do it. That was my motivation.

CH Another controversial issue was - at the time. You don't hear much about it now - was DMSO and laetrile, and there were bills approved to legalize the sale of those items.

VA The FDA was not allowing DMSO, and it was being very helpful, very useful to a lot of people, and we said, Phooey with that. Obviously, DMSO was something produced out here, but it was also very useful to people. They get a great deal of relief by using DMSO. So we said, We're going to take it out of their hands, the government, federal government.

CH The federal government can't stop you from doing that?

VA Well, I don't know if they could or couldn't, but we had to send a message of some kind.

CH I notice that it was sold in the state. You could buy it...

VA Actually, where you got it was from veterinarians, because they could use it on animals. So if you wanted to get DMSO, you went to the veterinarian. And people did.

CH A bill to require major grocery stores to post unit prices of merchandise was approved and signed by Governor Straub. Was there much controversy over that?

VA Oh, there was some. It was going to raise the cost to the grocery stores for posting all this stuff. It's one of those consumer protection bills.

CH Wasn't there a circuit breaker for that in terms of store size, at over 50,000 square feet, or something?

VA They didn't do anything like that.

CH It was for everyone, then?

VA That's right.

CH Lawmakers approved increases in beer and wine taxes to finance alcoholism treatment centers but refused to lower the drinking age from twenty-one to nineteen. Was that a package deal?

VA I don't recall. I recall them as items, but I don't recall.

CH And a bill was approved to revise the state's controversial land-use law that would remove the power of the Land Conservation and Development Commission to take over local planning if cities and counties don't meet the standard. Now, we had talked a little bit about that before, didn't we, so this was to rectify what was as problem?

VA Yeah. The Journal, when we passed Senate Bill 100 - I think I mentioned that to you. Actually, it's in the Journal prior to the vote, and we voted to make that a part of the record, that the LCDC could not or would not do local planning. That was going to be left to cities and counties. I'm kind of paraphrasing, I'm not sure. But we as committee members insisted that that be a part of the record. Then, of course, this follows the same theory, that we were not going to have the state do local planning under any circumstances.

← "HOUSE & SENATE JOURNAL" - 1973 Pgs. J 99 & 100

CH And this is another thing we talked about some time before, and here it comes again. Another bill was approved that would

allow churches and other nonprofit charitable organizations to legally hold bingo games. And, of course, you were adamantly opposed to that, weren't you?

VA Yeah. That one I don't have to remember. I know I voted against any one of those thing

CH Well, here's an interesting one. Lawmakers voted themselves a 35 percent pay raise.

VA Yeah. That didn't get anywhere, did it?

CH Well, I don't know whether the governor signed it or not. They didn't have it down on the news article on this issue. But do you recall?

VA I think what they finally did was to relate their pay to the increases of state employees, and so if a state employee got a 5 percent raise, then it wasn't a matter of saying, Now the legislature would get. They were just tagging along with the state employees. However, they left out a whole lot of people, including the governor, because they vote specifically the governor's salary, the secretary of state, the state treasurer, and, then, there's a long list of those that would be specifically designated by statute. But in terms of their pay, they don't vote on it anymore. If they vote on an increase for state employees, they get the same thing. I always objected, actually, to raise salaries; however, I would always, regardless of what they were dealing with, would say, Don't make it for - incumbent isn't quite right, because a senator is for four years, but it would be two years from now. In other words, you won't necessarily be voting yourself a salary raise. You might get

reelected, and, obviously, in that case you are, but you don't know that you will be. I think part of the downfall of the legislature and the ability of the legislature to deal with serious issues is because we pay too much.

CH So you feel that legislators are now paid too much?

VA Yeah, in the sense that there are a lot of them that that is their full-time job and probably only job they could really get. It's not a bad job. I don't know where it is now, but I'll bet you it's awful close to \$20,000 a year when you add per diem, salary, and all the rest.

CH I think you're right. It may even be a little bit more.

VA That's probably the best job a lot of them will ever have. So you get away from a volunteer citizen legislature, and people running for office are running for their job, not necessarily that they want to do something to contribute to the state.

CH But of course, a lot of these people are professionals, and they would be making more as lawyers or doctors or whatever back in their...

VA But you look at the long list of people that are there and look at what they show as their profession, and there's a lot of them that's their profession. When I was first there at \$600 a year, people were making a contribution to the state. Today, it's a good job.

CH Your own financial situation was such that - were you suffering as a result of...?

VA The answer is yes. Suffering is not quite the right word, but because of all the years I was involved in the legislature and as governor, my brothers were working, they were paying attention to business, and I know, although I don't know what their income is, I do know that they're a lot better off than I am financially. That's where I get real upset when people say it's self-interest. I say, If I really had self-interest, I wouldn't be doing what I'm doing. So suffering is not the right word. I wasn't able to do as well as I could have done. If I had never gotten into politics, I would have been financially better off than I even am today. To put it sort of bottom-line, my brothers are retired, and I'm working [laughter], and there's only sixteen months difference between us.

CH Well, also approved was a measure to approve mandatory minimum prison terms without chance of parole for murder of law-enforcement officials, multiple murders, second murder convictions, and murders connected with other felonies such as rape or kidnapping. I thought that the legislature had already passed minimum mandatory prison terms for murder of law-enforcement officials. I know we talked about that at some time earlier. Maybe it didn't pass.

VA I can't remember the sequence. They must have - either they passed the bill for capital punishment for aggravated murder or it was referred. It was in the election of '78 that it actually passed, and it was declared unconstitutional, passed again - It must have been referred by the people - and then repassed again, after it was declared unconstitutional, two years later.

CH Were there specific incidences which...?

VA Triggered that?

CH Yeah.

VA I can't remember.

CH There was another measure to bar lobbyists from giving money to legislators for ballot measure campaign expenses while the legislature was in session.

VA That's a current thing, and that's not bad. Either that or a campaign, whether ballot measure or campaign. The whole concept is that lobbyists are now intimidated. They've got bills of their interest before the legislature, and so the legislator says, I'm going to have a fundraising event, so they really feel obliged to buy a ticket. They put the lobbyists really in a very untenable position. So this makes good sense to - because if they have legislation - that's why they're there, that's why they're lobbyists, it's before the legislature - the best thing to do is not allow them to raise money.

CH Another burning issue of the day was regarding sunset laws, and there was legislation which created a sunset law for state agencies. What was your impression of that?

VA I said then, and it's indeed true, Sounds great, but it won't work. It's one of those political things. It just sounds great.

CH But wasn't the issue behind that that people were concerned about these agencies that were created that would just last indefinitely beyond their usefulness?

VA yeah.

CH So how - well, how do the arguments stand up, then, regarding this? Were there ways...?

VA The argument was what you said. Yeah, you bet, we've got to look at these folks. They can't hide in the shadows anymore. And so they were all set up on a cycle of which agency was going to be reviewed by the legislature. They were all on a cycle, all agencies - I mean, boards and commissions, all of them. The reason I say it isn't going to work is that if - I think we did get rid of the watchmakers board. Let me use them as an example. Okay, now, the watchmakers are before the review. Now, who's going to go down and appear? The only ones who are going to go down and appear are the watchmakers. You're not going to go down and say, No, we ought not to have it; in other words, a citizen isn't going to go down, it's only the agency or commission that's involved that's going to go down there and say, You ought not to do that.

CH But, then, going back to the argument you used on the tax issues was that legislators are there to make hard decisions and...

VA What was your rebuttal? Your rebuttal was, they don't [laughter].

CH [Laughing] Now, you can't use my argument against yours.

VA No, no. No, I said it wouldn't work.

CH Yeah, and you're right.

VA And it doesn't work.

CH No.

VA Actually, if you go from that point to where we are today, we don't have fewer, we have more. So it's not working, but it sounds great. Just like Governor Roberts in her state of the state address in January last year - I presume we'll have a point in time to talk about that - and she's talking about - she used the word "clean out the attic." We're going to go through these boards and commissions. It sounds great. All these boards and commissions. We're going to clean out the attic. That's the term she used. They are not consequential, certainly in terms of what she was trying to deal with. It was peanuts in terms of - they had a billion dollar problem, now a billion, three hundred million. So these things - my point basically, to 1977 and related to today, this all sounds great. Politically, it's a neat idea, and if it worked, it would be marvelous.

CH But wouldn't you have people from, say, the Legislative Fiscal Committee or an executive department budget people come over and say, Listen, we don't need this council or committee or commission or agency anymore?

VA No.

CH you wouldn't have that?

VA No. And the only ones you're going to see are the ones that are involved. There's a barber - hairdressers, barbers. They're going to come down and say you ought to continue it. The citizen isn't going to go down there and say we don't need it anymore.

That's the point I'm trying to make. So you have a one-sided hearing.

CH Well, why would these people want the board in the first place? Why would they want to be overseen by the legislature?

VA Oh, everyone's got a good reason for it. They've got a good reason. That's how it was established. At least a good reason as perceived by them and then by the legislature.

CH In other words, to exclude other people than themselves from that particular activity?

VA Yeah. I remember, going way back, there was a proposal under Hatfield, my early days, to create a hearing aid board. Well, I didn't think we needed all these things, including the hearing aid board, and I voted no, and my brother-in-law was in that business. So after it all passed, I wrote to Governor Hatfield and said, I didn't support it and I didn't vote for it, but if you're going to have one, my brother-in-law is a good guy to have on it [laughter]. But, you know, the basic point is this: it's designed primarily as a protection to the public, the watchmakers, hearing aids, you know, you go through the whole list of things. And if indeed the public was protected, then I could understand that. But I walk in and I see a deal on the wall, and it says that they have a license from the state of Oregon. Oh, well, I guess that's fine, as if somebody is really monitoring them. If somebody is really policing it, if some body of people would chastise, fine, or remove the license, then I'm perfectly happy. It doesn't happen that way.

I had quite an argument with some people early on in my governor's term, but it relates - the timing is not important to

it. They wanted to license daycare centers, and I remember the ladies being in my office and talking about the kinds of things that can happen - no, it wasn't licensing, because we did license them. It was some change they wanted in it, and talking about the kids - dropping the kids off, and all they do was sit in front of the television station, or the sanitation wasn't good, or whatever, and we were licensing at the time. I'm trying to remember what changes that they wanted in that. And I said to these ladies, Oh, is that while we were licensing these agencies? Yeah. Well, what do you want? They've got a license. We are not policing them, they are not being policed, they are not being cleaned up, they're not being supervised. So all that certificate gives you a false sense of security. I've said we ought not to have traffic lights. We'll have fewer accidents. People say, Oh God, we're going to have a lot of accidents. No. You know, if you drive through a neighborhood where there are no stop signs, you're darn cautious, aren't you?

CH Yeah, yeah. Of course, you don't know who...

VA You know somebody might be coming the other way because there's no stop sign in either place. But, if there's a stop sign and - you're going straight ahead, and there's a stop sign on the street coming from your right, you feel that somebody's going to stop, and so you just keep driving like - you don't even pay any attention; you don't even look to see if a car is coming. Somebody goes through a stop sign. Now, that may be a little far-fetched. I'm sure there would be accidents. But the basic point is that the best protection - now, remember I'm a retailer. The best protection is, what is it, buyer beware. That's the best protection. But here again, we're taking personal responsibility away and say, Don't worry, we're going to protect

you. And I wouldn't mind if they were being protected. The point is that they're not being protected.

CH But, then, don't they argue that, well, then, they should have policing to...?

VA Yes, but then they don't - the agency that's being licensed won't put up the money, because these are all - most of them are self-financed. To be licensed, it costs you a hundred dollars a year, or whatever it is, so they're being self-financed, but you'd have to charge them \$3,000 a year in order to get enough policemen out there to actually police the industry or profession. It just doesn't work. So what we're doing is, we're really lying to the consumer. They've got a license and they think they're protected, but they're really not protected. They've got a license, and they just continue on like they used to continue on.

CH Is there an alternative, then?

VA No. We're back to my ideal world where nobody gets licensed. You can just go in and take your chances. Be more alert, do a little more study instead of just, you know, boldly walking in and say, Oh, I'm protected; I don't have to worry about this.

CH Going back euthanasia, a related issue that came up was a right-to-die bill, which was passed by both houses. Did that fall in the same category for you as the patients wanting not to have extreme measures to keep their lives going?

VA Yeah, it's the same idea. Right to die, euthanasia.

CH So you were opposed to that as well, then?

VA Well, it wouldn't be what I'd say fervently. The whole idea was that I was worried that once you clear the decks for that, more of it is going to happen, sometimes maybe unnecessarily.

CH Well, here's a burning issue of the day. A bill was passed to allow Kelpy [~~see~~] the coyote to return to his Spray, Oregon, family. This actually made it to the legislature?

VA Yeah. It goes along with the state rock and state butterfly and things like that.

CH Was that really a big issue?

VA Well, it got a lot of attention, but - it's got something to do with Fish and Wildlife picked up a coyote and it was a pet or something, and it was one of those things that hits the news for a day.

CH Well, if that wasn't a big issue, then this must have been. A bill failed to protect the legendary Sasquatch from hunters. How do these things ever make it into bills? How do they ever make it to committee?

[End of Tape 21, Side 1]