

Tape 10, Side 2

CH This is an interview with Governor Atiyeh. This is Tape 10, Side 2.

Well, for instance, on this Taxation Committee, I see that there are five members.

VA Is that the committee, now, with the members I mentioned, Boivin, Elfstrom, Yturri, Flegel, and Atiyeh?

CH I don't see Yturri on here. I see - well, down here I have Boivin, Atiyeh, Elfstrom, Husband, and Flegel.

VA And who was the chair?

CH Boivin, and you were vice chair.

VA Well, maybe it was Don Husband and Elfstrom. Yeah. I think that's that committee. I put Yturri in there, but I think it was Husband. Flegel and I had more fun than Husband and Elfstrom did.

CH Why is that?

VA Oh, I don't know. We got along together real well. I liked Al very much. He was a real Democrat and I was a real Republican, but I really liked him really very much. And in later years we became quite good friends, and I visited with him in the nursing home when he had his leg amputated. I think he had diabetes. I knew his wife real well. They were really good people, both he and his wife. We got to be good friends. That didn't mean we always voted the same way; we probably didn't. We just got to be good friends.

CH You had a request of the Association of Oregon Counties for

ad valorem taxation ratio studies, which was tabled. Was there anything significant about that that you can recall?

VA I can't recall.

CH And another one from the Oregon Society of Certified Accountants. Now, are these people that have lobbies, like the counties and the certified accountants have lobbies down there and they want certain legislation passed?

VA Yeah.

CH Now, how would they find you? How did these people find you?

VA Well, I knew them all, and they just thought I might be sympathetic to their cause and asked if I'd introduce a bill. I said sure.

CH Well, they were asking for representation of taxpayers before the state tax commission, and it was signed by the governor. Does that mean representation for the taxpayers by a certified accountant?

VA I think so, yeah. And my feeling - the Oregon tax court was introduced - I don't remember, but it was Ben Musa's idea, and I liked it and supported it. But the thing that always worried me greatly was that the whole idea was that a citizen could go and represent themselves, because up to that point, before there was a tax court, the tax court, in effect, was the Department of Revenue. They would say to you, You owe money, and I don't agree I owe money. Okay, you can appear before us. Wait a minute. You're the ones that just told us we owe you some money. And so the tax court was created. This was a body, now, outside of the tax commission. I thought that's a great idea, but I always

worried about the fact that it was - you know, the lawyers would get involved, and all of a sudden it would get to be formal, which, incidentally, it is today. That's just exactly what I thought was going to happen. It isn't - was [inaudible], and a guy like me could go there and plead my case. Now it's formalized, and that's what I was afraid was going to happen way back then.

CH By formalized you mean that...?

VA It's back to where you can't walk in off the - you can't, Clark, walk in to the tax court and say, I don't like what's going on, my taxes are too high, and here's the reason why. Now there's a judge - of course, there was a judge then, but the judge is now very judicial, and the lawyers have taken over, so it's no longer - let's call it the people's court. It isn't that at all anymore. Not like we had dreamt it would be.

CH There was another bill on personal income taxes, new provisions and repealing Chapter 18 of the Oregon laws, which was tabled. Do you recall anything about that?

VA I don't recall.

CH You were on Military Affairs, and I'm wondering what kinds of things would come up before the Military Affairs.

VA Not much. It was not one of the - this was one of those committees that, like State and Federal Affairs, you know, you just kind of - a committee to get people chairmanships. It wasn't much. Nothing of any real big stuff went through those committees. It was just sort of there.

CH Well, you sponsored a senate joint memorandum - or, it was a memorial, I guess.

VA Memorial.

CH Memorializing Congress to adopt a draft system based on a lottery.

VA Yeah. It was just one of those statements you send back to Washington, D.C., and it just gets mixed up with everybody else's paper.

CH Well, in 1969 wasn't there a lottery that was adopted?

VA I think so, but you just - we'd keep sending messages back to Washington, D.C., and I don't think anybody ever reads them, but it makes us feel good.

CH But that wasn't prompted by the president or...?

VA No, I can't recall.

CH And you were on Labor and Industries. At this point, Berkeley Lent, Bud Lent, is chair. And Dement - I presume that's Sam Dement?

VA That's right.

CH - was on that. You haven't mentioned him before. What was he like?

VA A great guy. Again, both he and his wife, Dotty. They're great, great people, really. He's a farmer, and I guess, as I've talked about these folks before, their head's screwed on real good. Good common sense, great understanding, good personality, a neat guy. I liked him.

CH You were on a number of committees with Raymond?

"Ruff"

VA ~~Raph~~ Raymond from Pendleton. We started in the house together and we started in the senate together. Here again, a real good guy. A good guy, hard-working farmer, highly regarded back in his country. Still is. He's still around. And again, both he and his wife, Gladys, are just neat people.

CH You had a bill that term in that committee at the request of the Oregon Drilling Association. I don't know whether it fell underneath this committee or not. I just put it here because I thought, being Labor and Industries, maybe it had something to do with that.

VA I don't remember.

CH Would you generally try to get a bill that you had into one of the committees that you were on? I mean, if it didn't necessarily apply to that committee?

VA Oh yeah. I had my own personal philosophy about bills. A lot of legislators didn't really want to say no to somebody who had an idea, and so they'd introduce bills. They wouldn't necessarily like the idea. I wouldn't do that. If somebody brought a bill to me and I thought it had some merit, then I would take it. If not, I'd just, as kindly as I could, go find Senator So-and-so. I think they might be interested in this. As kindly as you can. But that was my policy. Some would just say, Heck, you want it in, I'll put it in. But I wouldn't necessarily relate it to a committee that I was a member of.

CH Well, other legislation - I don't know where it fell in relationship to the committees you were on, but one was on unemployment insurance proceedings, another one related to firearms and provided penalties, which - both of those the governor signed. And, then, another one on firearms was tabled.

VA I don't recall firearm bills, except that - I'm a long-time NRA life member, and I do know that all during my whole career there wasn't any what I would call antigun legislation passed in the legislature, during my twenty-eight years.

CH Are you saying that that was partially because of your presence there?

VA I suppose it helped, yeah. And there weren't any AK whatever it is.

CH AK-47s?

VA Yeah.

CH The Oregonian referred to the 1969 session, saying that legislators doggedly faced the property tax revolt and returned a predictable answer: a program that channels a hundred million dollars a year from a sales tax into a distribution formula that benefits large landowners and commercial property owners more than it does homeowners. This was for the special election on June 3. That's what it was in reference to.

VA And you recall that whole argument even continued into this last election where there was a, quote, split roll?

CH Right.

VA There's been always that argument about splitting the roll, and it comes under different guises, but it was going on then, and it's going on now.

CH And you're not favorable to that?

VA No. I don't believe in it, I don't believe there should be

a split roll.

CH But I thought that - well, we'll get into this later, but I thought that shortly after you became governor that you had a son of 6, Measure 6, legislation, a three-pronged tax bill that supported a split tax of some kind.

VA I'd have to be reminded more specifically of it. In my own personal philosophy I just don't think that's the right way to go. When they speak about business paying less, they're not really paying less, they're paying the same rate. There just happens to be more homes than there are buildings. And so that's really the distinction. It isn't as if this building, here, has a lower tax rate. It doesn't have a lower tax rate. It has the same tax rate as my home - not my home, because I'm in Washington County, but a home in Multnomah County. It's the same tax rate. So when they say paying less, it just - there's more of them than there are of us, if you put it in that fashion. So they're not really paying less. But they say, Well, business is paying 20 percent and us homeowners are paying 80 percent. Well, because there's 80 percent homeowners and 20 percent buildings. That's the reason it comes out that way. The rate isn't lower. And you notice in this most recent election they wanted a higher rate for business and a lower rate for homeowners, so they were changing the rate, which says the same thing again. The rate is the same rate.

CH Probably the most famous piece of legislation to come out that session was the beach bill, and that was passed, to protect the public's right to use the dry-sand areas. I notice on the news today that actually that's going before the supreme court again. The fellow in Cannon Beach who wanted to build a motel on the...

VA Yeah.

CH And the district court wouldn't let him build a seawall, and then he went to the appeals court, and now he's going to the supreme court. So here it is - that was in the sixties, and now it's in the nineties, and that issue is still being tossed about.

CH I have a speech, and it ends - I can't remember exactly, but it says - let me just kind of say it off right now. Will the property tax problem be solved, will the beach bill be solved, will workers' compensation be - I'm picking a few out of the air. Tune in next year and we'll - these things have been going on, and they're still - they were there then, and they're there now.

CH Is that - I find that, too, going through my research, in every session almost, and all the legislators that I've interviewed, that over and over again these same issues just keep coming up. Is it the nature of humanity or is the nature of Oregonians? How do you attribute this constant...?

VA Well, maybe there's two levels of it, one of which is, it's so controversial, politicians don't want to touch it. That's property tax relief. So the people petitioned and made a mistake, Ballot Measure 5. We'll go through my speeches that I've saved, and you'll see, you've got to do something about property tax relief, you've got to do something about property tax relief. Oh, just on and on it went. The other is fairly typical. You pass a bill, but there's always some genius out there that's got some idea of how to get around it, so the next session there's another bill on that subject to close the loophole that that guy found. But, then, somebody else will find another one. So they're always constantly trying to find how you get around a law that was passed.

So there's those two elements going. Some of the major issues are just major issues, and the legislative body doesn't want to touch, and the others are just somebody always finds a new way to get around it.

CH But it seems like some issues are almost unresolvable. I mean, they talk about death and taxes, and it seems like tax issues are never resolved.

VA Well, taxes particularly. Again, in speeches - but I don't have to look at my speeches to tell you that. I remember some of the statements I made to supporting some tax measures, and I said, Some have said that this isn't a perfect tax, and my answer is yes, they're right, and there never will be one. Not mine, not anybody else's. There's never going to be one. The other argument I use - because people get all upset about changes, particularly taxes - there's no way to have a change and retain the status quo. It's impossible.

CH Well, another thing that came up was the creation of the court of appeals, and, of course, it's significant for you because later on you made appointments to it. What was the need for a court of appeals?

VA It was really a matter of jamming up at the supreme court level and some appeals that really didn't necessarily have to go to the supreme court, but that was the only alternative. Not that you were stopped at the court of appeals, but oftentimes, if one would figure they had their best shot, there's no need going any further. And so you relieved, actually, the supreme court in the process, and it did move cases a little more rapidly, because, obviously, when you get a clogged supreme court, there's cases that will wait for three or four or five years. So it moved things a little - broke a logjam, I guess is the best description.

CH There was a creation of a full-time parole board. This had been a controversial issue for a number of sessions. I think we referred to it before. How was it finally resolved?

VA I can't really answer that from memory. It was felt important enough that you - that there be enough study and that they be able to make better decisions if they were there full-time rather than taking their work at home and meeting every now and then.

CH I notice it was finally this session that Portland State University was established, and I think you said, or somebody told me, that it was down to the wire, that it was...

VA Say that again?

CH Portland State University was established, and was it Don Willner that got that through?

VA Yeah, probably. My whole discussion about Portland State University - this is going on tape now, and I'm not going to take it out, but I wasn't there when PSU was established, which was, I think, 1955. But I said, I can just hear the discussion. The Lincoln High School building became available. We really ought to have a college in Portland, and we can get started real cheap here. And I'm sure that's some of the argument that took - Oh yeah, heck, let's do that. We get a college cheap in Portland. And other legislators said, Yeah, we'll vote for that for you guys. It's cheap. We can deal with that. But then I would go on to tell the story about the new economy electric car, and you can drive it from Portland, Oregon, to New York City for \$3.75. The only problem is that the extension cord costs a half a million dollars. So that's how I relate to Portland State. We can travel, you know, for \$3.75, but somebody forgot there was an extension cord that goes along with it. Obviously, it's come into something much bigger, and it's a good institution now.

CH Tri-Met was formed that session. What was your feeling about that? I presume that there were buses before, but it just

wasn't...

VA Yeah. That was a private enterprise. Rose City Transit Company. That was a private enterprise, and they were getting all upset that the Rose City Transit Company was raising bus fares - trolley fares, I guess. I guess trolleys would be a better word now - for them, and that was a terrible thing to do, so we're going to create a public body. It costs less. There's another extension cord [laughter].

CH An abortion bill was passed after Betty Roberts's more liberal bill failed fourteen to sixteen in the senate. Do you recall any of the discussion on that?

VA No. I don't recall the discussion; I recall the bill. Up to that point, abortion was legal for the - actually related to the physical health of the mother. The change was to add mental health. That opened abortion in the state of Oregon. Just that one word. I can recall the following session a doctor reporting back to us in the committee that he had performed three hundred abortions that year, or the two years intervening, and I was greatly personally offended. But it was that bill that opened abortion, unrestricted abortion, in the state of Oregon.

CH There was an antiprostitution bill that passed which would affect not only the prostitutes but the clients, or johns, I guess, as they were referred to.

VA I don't remember [laughter].

CH Some of these things I just find interesting.

VA Well, they would be interesting.

CH I'm just wondering how these things went through the

legislature.

VA Well, I guess the whole theory is that you begin to grow interest in some of these areas, and why should we pick on the women because it takes two to dance, as they have said it. All the time you're picking on the women and not the people that are propositioning them.

CH What was your impression of the '69 session in general?

VA It's hard for me to segment it. Again, I can't think of it was a great one or a bad one or mediocre. I don't recall, to be honest with you.

CH Then we come to the 1970 - I didn't see any interim work for you after the session, but were you on any interim committees that you recall, or any interim issues that came up that...

VA After the '69 session?

CH After the '69 session.

VA Not that I recall.

CH And, then, in 1970, then, you didn't have an election.

VA No.

CH In a case like that do you help other people with their elections?

VA Oh yeah, but it was not nearly as formalized as it is today.

CH Well, it was in the '71 session, then, that the big battle with the coalition occurred and John Burns was finally selected.

Maybe you could tell me a little bit about what happened, because this is sort of a change in the way things happened in the...

VA Well, this is one that I remember as quite em - oh, I say embarrassing. It was, I suppose, and I have to tell you that I remember it. I don't remember it with great anger. A great disappointment, I suppose. Others would face it, and many elected officials would have been very angry, and don't get angry, get even, and they were on that, but I'm just not that kind of a guy. But I ran for Republican leader and won it. I think I ran - Tony Yturri was one of the contenders, and he was one of the insiders, and I was an outsider voting against the coalition, and anyway, I won it, and I think they were offended by it. But during the course of the week in which John Burns was finally chosen, a lot of names were put up, and each time the Republican caucus would put up a name and the Democrats would put up a name, and nobody would win. But my caucus never put my name up, and the most embarrassing part was in the pre-session when you would go and - there would always be this pre-session caucus, and you'd kind of go through the script, and we went through the script in which none was selected, but I had been chosen. We went to it - it was an open caucus, the press was there, and my name was not put up as Republican leader of the senate. So there it was for the whole world, you know. I remember it. And I think Lynn Newbry and Debbs Potts were among those, and maybe Tony, and, yet, I consider each one of them very good friends of mine. Lynn Newbry was one chosen by me for my transition. So, you know, it wasn't a matter of just carrying a - I didn't like to carry all those buckets. I remember it.

CH Why do you think it was that you weren't chosen?

VA Oh, I'd been against the coalition, I ran against Tony Yturri, and, you know, we can't - you know, we've got to get this guy some way. But that's their problem, not mine. I mean,

that's the way I look at it, and life goes on. So I do recall it, but, as I say, not with a great deal of anger. Not even then. Disappointment, but...

CH Why couldn't Debbs Potts or Harry Boivin have gotten control again with the coalition support?

VA I'm going to have to stop and analyze it. I can't remember it quite that well.

CH Because it was Potts, eventually, that voted for John Burns. He was holding out.

VA Yeah. I guess what it was, was if you had - we had fourteen-sixteen - I think that was the count - so we needed two Democrats, and the, we call them, the liberals were growing in strength in the senate. I think some just didn't want to depart, for whatever reason. Some were - if the Democrats were chosen, they didn't want to be left on the outside. I really can't tell you. In this case, we needed two.

CH But it seemed like through all those fifty-four ballots that Debbs Potts or Harry Boivin, being conservative, would have gotten the support of the Republican coalition, as they had in the past.

VA Yeah. But let me go back to it again in the sense that - I'd have to look at that names, but a lot of the coalition - I'm guessing now. A lot of the former coalition just weren't there anymore, and there were fewer of the original coalitions - or, not original, but ongoing coalitions. I think that's what stagnated the process.

CH There was as suggestion that - in the end that John Burns had struck an agreement with Republicans for concessions that he