

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks

report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

Measures Heard HCR1

HOUSE COMMITTEE ON LEGISLATIVE RULES AND REAPPORTIONMENT

January 31, 1991Hearing Room E 5:00 p.m.Tapes 4 & 5

MEMBERS PRESENT:Rep. Greg Walden, Chair Rep. Peter Courtney, Vice-Chair Rep. Ray Baum Rep. Margaret Carter Rep. Ron Cease Rep. Beverly Clarno Rep. Carl Hosticka Rep. Bill Markham Rep. Tom Mason Rep. Randy Miller Rep. Fred Parkinson

STAFF PRESENT: Greg Leo, Committee Administrator Adrienne Sexton, Committee Administrator Carol Wilder, Committee Assistant

WITNESSES: Rep. Judy Bauman Rep. Mike Burton Rep. Margaret Carter Irv Fletcher, Oregon AFL-CIO Rep. Bill Markham Roger Martin, Citizen Rep. Tom Mason Rep. Lonnie Roberts

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TAPE 4, SIDE A

004 CHAIR WALDEN calls the meeting to order at 5:02 p.m.

- Introduces Rep. Lonnie Roberts, House District #21.

010 REP. ROBERTS: I had the privilege of putting HCR1 into the system on behalf of former Rep. Wally Priestley. I served several sessions with Rep. Priestley. He had a sense of fairness and a sense of duty that few people have. He would take the very unpopular side of an issue because he truly believed in it, and you couldn't help but respect the gentleman even though you may not always vote with him.

- He was one of "Oregon's most colorful and controversial political activists. His deep commitment to the plight of individuals and his readiness to do righteous battle with entrenched power often left him standing as an unbowed minority of one."

- The gentleman served a long time in the House of Representatives. He would take stands that would make him the center of controversy in the Press and in the Capitol. He never bent and he never turned away. He had a sense of duty about him that I've never seen before and I have yet to see. I don't know if I would have had the courage to do what Wally Priestley did.

- The capsulization of this is correctly shown in HCR1--"All legislatures need a Wally Priestley".

- I ask for your support on this measure.

037 REP. MILLER: Rep. Roberts, did you have a hand in the writing of this particular resolution?

038 REP. ROBERTS: No.

039 REP. MILLER: Do you subscribe to this particular phrasing on line 15, talking about a "sane view of nuclear power and its residues". "Sane view" maybe represents that others who have a differing opinion don't share that sanity. I wonder that by subscribing to this resolution, you subscribe to what he would have believed to be a sane view of nuclear power and its residue?

049 REP. ROBERTS: I did not agree with him totally on that issue. While we disagreed a great deal, he was a conscience in the Legislature that caused legislators to question their own support or opposition to an issue. Once you got over Wally Priestley's arguments and you still felt you were right and he was wrong, you were far more sure that you were right because he did challenge you. We need as much of that as we can in the legislative body. In the two sessions I served with the former representative, we probably voted the same maybe twenty times out of all that time. But that doesn't stop me from believing that he was truly a unique individual.

063 REP. MILLER: Would you object if in the place of "a sane view of nuclear power and its residues" perhaps language was substituted to the effect, "had strongly held views regarding nuclear power and its residues"?

068 REP. ROBERTS: That does not bother me. What bothers me is we're on a time track here. If everybody agrees on it, the committee would have to vote to amend it.

069 REP. CEASE: One might not agree with statement, but I think it clearly is a value judgment. I think the statement that Rep. Miller makes would be preferable.

072 CHAIR WALDEN: Perhaps we could just insert the word "forceful".

076 REP. ROBERTS: I believe one can waive the rule regarding a conceptual amendment. If that's the case, it would save us some time.

079 CHAIR WALDEN: Introduces Mike Burton.

082 REP. BURTON: I'm Rep. Mike Burton, District #17. Wally Priestley is the only legislator who has represented three different legislative districts. In 1982 when I first ran against Wally Priestley it was not so much as to run against Wally Priestley as it was to run what I thought was going to be an open seat in the Legislature due to Howard Cherry's deciding to retire.

-Wally has a house in about every district in the city of Portland. I ran in 1982 against Wally and lost that one to Wally in a six-way race in the primary. I met with him and found some common ground and some uncommon ground. He respected that I had differing views.

-He was a person whose view of government was that it was one of the large things in life that gets in people's way and interferes with their freedom. Wally probably would attack not just military organizations, for instance, which he felt was something that controlled our lives, but government; anything that was institutionalized that would probably interfere with the rights and freedoms of individuals to act. He kept trying to disassemble those institutions that would interfere with our rights to act independently. That often rubbed many of us the wrong way. He believed that very firmly, very honestly and he attributed his life to that and I think with some successes and in some cases failures.

-Wally, in talking with a lot of his colleagues, was indeed a conscience. He may not have been the conscience that we shared but it was one that represented a viewpoint that was needed and he was dogged in his determination to be involved.

-Over the years after Wally left the Legislature I continued to work with him. He devoted a great deal of his personal time to help out various causes around the city and in trying to bring an ability for people to communicate on a greater basis with each other on cable television. I found him always a charming person. My area and the Legislature misses him. This resolution is the least we can do to commemorate the passage of a colleague.

136 REP. BAUMAN: I've only been here since 1979 and Wally Priestley was here teaching, which is one of the things he did well. He sometimes got outside the process. You didn't have the protection of your title; in fact, you didn't have any protection really when you encountered Wally. You had to talk to him on his terms.

-When I first met Wally I was really struck on how young he was. He was a man of such principle. He knew if you abandoned principle and he would be disappointed. I was impressed that he praised other legislators. I heard more times his disapproval which was largely disapproval of abandonment of principle. I am stricken by lines 18 and 19 of the concurrent resolution.

-Whenever I see a member of a committee sit in the back of the committee and watch the committee work, I think about Wally. He was famous for that. He would get off the dias and go sit in the back of the room with the people and watch the legislature at work. I don't think he ever forgot that he was one of the people, where he had come from; and even though he was a legislator it would do him some good to step down every once in awhile and watch from the vantage point of the people.

179 REP. MARKHAM: This is not a happy instance. I knew Wally longer than most because none of you were here in 1969 when I first served with him. I had problems with him the first couple of sessions. He felt strongly about the outlawing of lettuce from southern California. He finally won and we didn't have lettuce around here for about two months. That was all right; he made his point.

-In 1969 during the Vietnam War, he talked to some pages about moving to Canada. That really created a friction around here. He was an anti-advocate of the sales tax. Wally had some bumper stickers printed up against the sales tax and I used to display them for him. He was quite a guy and I was disappointed he had to leave us so early. I

thought he would be back to the Legislature but it didn't work out. I, for one, have added my name to this resolution.

225 REP. MASON: I would like to add comments. Rep. Baum and I caucused here and a phrase came to mind that says, "A prophet is not without honor except in his own country." That kind of describes Wally. He got a lot of abuse and was a caricature around here. I'll never forget he had only one coat. That was the gray tweed coat. I never saw him in everything but work boots. He had some stationery that had a caricature of him on it of Wally riding a donkey. The stories of him living at the "Y" are legendary. The stories of him living in the lounge are legendary.

-There's that wonderful story about Grace Peck who said that she would vote for the abortion bill if it were made retroactive to Wally. Wally wouldn't mind that story being told because there was always tension between these two legends.

-My first interaction with Wally was when he demonstrated in front of the Georgia-Pacific Building. Georgia-Pacific didn't have any sense of humor and sued Wally afterwards. I was a young whippersnapper and I was so offended that I called up one of the VP's at Georgia-Pacific and read him the riot act.

-He had dozens of people on his staff - he seemed to have his own WPA program. He was a hornet, and all of the hornets but one have gone. He was also a consummate politician. He knew the parliamentary rules like the back of his hand. Wally could bring a motion to postpone indefinitely. He could count votes on the floor and know exactly the right moment to bring that motion.

-This really comes close to home--exactly ten years ago, we were in the process of reapportionment. Wally played reapportionment like a violin back then. He organized district meetings and field hearings in northeast Portland. I remember them well. I remember I got so angry with Wally, I said "Wally, you're manipulating the process and getting political". He looked at me like, "Why are you throwing stones?" Those are my memories of Wally Priestley. I just hope that some of us are remembered with such affection.

293 REP. MARKHAM: I remember one very interesting incident on the sales tax issue in 1969. Wally was ill and he had himself delivered on the floor on a stretcher so he could get his No vote in.

304 ROGER MARTIN, CITIZEN: I'm a former legislator that served ten of the twelve years with Wally Priestley. I always considered Wally my friend even though we were at the opposite ends of the political spectrum. I would like to share with you some personal memories of Wally.

-Wally never hesitated to say whatever came to his mind on the Floor of the House, usually driving a Democratic Speaker right up the wall. For some strange reason, Wally could get along better with the Republicans than he did with the Democrats when they were in the control.

-Wally grew up in northeast Portland. He went to Jefferson High School and his two best friends in high school were Jack Faust and Art Reidel, who he didn't spend a lot of time with in the last few years. Wally was the president of the high school High Y which at that time was a very important kind of club. He was a "with it" kind of guy. He attended the University of Oregon. He was a Sigma Chi. He was a young Republican. At that time, Wally was a Republican, a conservative kind

of guy.

-Then the Korean War came along and Wally went into the Navy for two or three years, and when he came back Jack Faust saw him and asked him out for a beer. Wally talked about one-world government and his plan, which was to take all the property away from corporations and give them a non-interest bearing 50-year note and give the property to the people. Faust was flabbergasted, but that was Wally. Whatever his experience with the Navy had been, it had diametrically changed his thinking about politics.

-Wally was a delight; he was the conscience of this place. He was both polite, genteel, gentle, would do things that would drive you nuts, and also a clever spokesman. Every once in a while he would state something that would lay everybody low, and they would wonder why they hadn't thought of it. For years, the battle cry of Republicans was "Single-Member Subdistricts". At the time that was being bitterly fought by most of the caucus, Wally said that single-member subdistricts were bad for incumbents, they're bad for the Democrats, and they're good for the people. That was something a Republican should have thought up and said.

-Wally lived off the House lounge and in the YMCA. He always wore suntans, boots, an old shirt and a tie and the tweed Herringbone from London. It was better than any sports coat I had ever bought. It was the contradiction in Wally Priestley.

-One year in his zeal, he decided to join with Cesar Chavez and went to southern California to join with the strikers and the protestors, much to the total anger of the local Democratic assemblymen from California who protested to the Democratic Party of Oregon, "How dare you send a legislator down here to my district without my permission". One year he also decided he wanted to join the guerrillas in Central America who were protesting. He spent two and a half months trying to find the guerrillas in Guatemala and I think they heard he was coming and made sure that he didn't find them.

-As I said, Wally could get along with the Republican Speakers. When Bob Smith became Speaker of the House, he called Wally into his office and said, "Wally, you like to protest and you like to have your say. You get very angry whenever someone moves to the previous question and cuts you off. I want to guarantee you one thing; in this session, no one is ever going to cut you off. You just send me a note if you want to speak on a bill, and then you're going to speak on it." He didn't have that same success sometimes after the Democratic party moved into the majority.

TAPE 5, SIDE A

001 MARTIN (CONTINUES): I'll never forget the time he did something that was rather embarrassing to the rest of us and was typical of Wally's protests. In 1973 or 1975 the prisoners of war were finally released in Viet Nam. Every state in the country had a prisoner of war. We had a colonel from eastern Oregon who came to visit. Wally still had intense feelings about the War. Most of us were willing to honor a POW who had obviously suffered a great deal. Wally left the House Floor. The Colonel came on and started to speak and Wally came in the side aisle and started booing him. Grace Peck came out of her seat and started for him and she was going to throttle him. She was going to choke him to death if she could get to him. Les AuCoin who was then the Majority Leader came out of his seat as fast as he could and got between them and stopped it from happening. It was shortly thereafter that

Grace made the statement that she would have supported abortion as long as it was retroactive to cover Wally.

-I was Chairman of the House State and Federal Affairs Committee in 1969 and Wally served on my committee. Wally had never passed a bill in the House and we finally concocted a way for Wally to get his name on a bill and carry the bill. He passed the bill and we all gave him a standing ovation on the Floor because it was unique. Usually he was in the minority protesting something.

-Two memories that I have about Wally that I'll always cherish--lobbyists will send you a note on the Floor and call you out for some purpose. Wally never got any notes. Nobody wanted Wally's vote. In one of my early sessions, I decided to send Wally a note. He came out and he was just amazed. Everybody else standing around was amazed that I had sent a note to Wally and was standing there talking to him. It was a bill that had to do with Tri-Met and transit. I asked him if he would vote for it. He said yes and that he really appreciated my asking him to do that. I think that was one of the few times that Wally ever was called out. The other thing was the politeness and genteel nature of Wally Priestley. My ex-wife spent all day preparing a committee party in 1969 at the end of the session for all of the legislators that served on the committee. It was late in the session, everybody was speeded up and harried. They all came and drank a little too much, ate all the food, left a total mess and left. Wally was the only one who came into the kitchen and thanked my wife for making it possible.

044 HERB FLETCHER, OREGON AFL-CIO: Submits written testimony in commemoration of the life of Former Representative Wally Priestley (EXHIBIT A). Asks to have additional comments put in the record.

-My first memory of Wally was when he was arrested on the picket lines in Delano. I read about that. Sen. John C. Schmidt from California said, "Why don't you people keep your legislators at home?" I thought that this is an individual that I needed to get to know.

-One of the problems I had with Wally was he wanted to be my conscience. Frequently, he would come to me saying, "Since your organization stands for this, why aren't you up here testifying or why aren't you doing this?" I told him that part of the process here in this building is compromising, and he didn't understand that.

-I always said we always should have one Wally Priestley, but I wouldn't want 31 of them in the Majority.

-One of the bills particularly that I worked on in 1973 was a public employee collective bargaining bill. Early on, it became essential, we thought, to take captains out of the police bargaining unit. We left Wally right there. He said, "You've compromised, you've sold people out." And the record will show that Wally voted with the Republicans primarily on that bill. It took us an extra week and a half to line up the extra votes.

-I think it's important to point out that Wally is one of those that will be missed much more in death than he was honored in life. That speaks a lot about him and I'll miss him.

065 REP. MARKHAM: Roger, it seems to me that Wally felt extremely strong on the air pollution problem and he actually drove his car into the production line of an asphalt plant in downtown Portland. Got

himself arrested on purpose.

072 FLETCHER: He drove right on to the Malarkey Roofing Company property. It was putting off smoke. He gave them more publicity than they ever wanted. That's what he was great at.

073 REP. HOSTICKA: I would like to point out that the best testimony to Wally's effectiveness is that this is the first time I've ever seen Irv and Roger agree on anything.

076 REP. CARTER: As Wally's representative, I have fond and tough memories of Wally. When there was redistricting in northeast Portland and the second term I ran, Wally brought out all the senior citizens and all the anti-sales tax people. Every place I went, they were in the audience to make sure that I said the right thing. On one occasion they asked me if I would vote for a sales tax. I said that I knew it was important to have some kind of revenue source by which we pay for education. Everyone in the room just blew up and said that if I didn't change my statement right then they would not vote for me in this district. I had to promise that as long as I was a representative of this district, I would not vote for a sales tax. -I had to promise Russ Farrell that I wouldn't vote for the sales tax. To this day, Wally's troops have been on me to make sure that I don't vote for a sales tax and always be in the line of good politics.

-He started to run for the Legislature the session before last again. After he saw that I was really running for my seat again, he asked me if my politics were the same, that I wouldn't vote for a sales tax. I had to promise him over and over that I wouldn't do that. The night before Wally passed away, I got a call at my home. I was out of town and didn't get home until the next day. When I came back to my office, I saw where Wally has passed away. I was one of the people who had signed on to support him for the county seat. I will miss him very greatly. He has been a strong conscience to me in terms of guiding my direction in the district. Our district shall miss Wally greatly because he was a true advocate for change and he was a true activist in the people's sense of the word. I want to remember him not only fondly but remember him as a loss to this process.

111 REP. PARKINSON: When you made the promise to Wally, did you have to promise for life?

114 REP. CARTER: They always make me promise for life because somebody from that constituency is always there every term when the sales tax issue comes up. I've already got my call for the year from his supporters.

117 REP. CEASE: One of the things that he didn't particularly want that most of the people in these halls want was to chair a committee. I gather there was one time when he chaired a special committee on the elderly and after that he didn't want to chair another committee again. You have to be able to compromise and that was not Wally's strong point.

134 CHAIR WALDEN: As many of you know, my father served three sessions with Rep. Priestley. I recall a story he used to tell about some bill that came up dealing with outhouses. There apparently was a slide show going on showing these different outhouses and it was dark in the Chamber or wherever this was happening. Wally had arranged for a glass of water and a pitcher to be available and as they flashed up the outhouse, he turned on his microphone and poured the water from the pitcher into his cup. This promptly brought the House down. He had indeed a good sense of humor.

-Opens work session on House Concurrent Resolution 1.

-Asks for concensus on the committee as to what word should be placed in line 15? Is "forceful" in place of "sane" a good description? Hearing no objection, we'll accept that as a conceptual amendment to the bill.

148 REP. CARTER: In terms of names being added to the bill, will that be taken care of?

149 CHAIR WALDEN: That needs to happen individually by turning a note in to the Clerk's office before it comes up for its vote in the House. My understanding is that it comes up for a second reading and not for a third on concurrent resolutions, so it's a little different vehicle than we're used to dealing with on a frequent basis.

160 MOTION: Rep. Carter moves to adopt the Resolution with substitution in line 15 of "forceful" for "sane".

VOTE: In a roll call vote, the Motion to Adopt was unanimously approved. Rep. Miller excused.

166 CHAIR WALDEN: The Vice Chair of the committee will be carrying HJM1 tomorrow on the Floor.

168 REP. MASON: We got the proposed agenda on the field hearings. February 23 is scheduled for Madras. The prior weekend is scheduled for Medford. We might want to switch these dates as the 23rd is the weekend opening of the Shakespearean Festival.

180 CHAIR WALDEN: We also may have to adjust the Wednesday meeting in Woodburn as that's the annual Mt. Angel Legislative Evening.

185 REP. HOSTICKA: Is this the complete list of places that will be visited and if it is what is the rationale for choosing these places rather than some others, like Eugene, Albany, Corvallis, Roseburg, La Grande? Is there an opportunity for others to be added to this list?

193 CHAIR WALDEN: We could extend that opportunity, schedule permitting. I can go through the rationale. The one in Portland, Rep. Carter will help to put that together to deal with a hearing in her district and the special population group there we need to address. Jefferson County is only county in Oregon where whites are actually in the minority because of the Indian and Hispanic population. Then we have one on the coast, one in southern Oregon, and one here in the Willamette Valley. We're limited by time as to how many. It's not that far if people from Eugene have questions.

205 REP. HOSTICKA: From what I can see of the possibilities that are being discussed, the fate of Albany and Corvallis may be determined by this committee and so the citizens of those areas might want to have some input.

206 CHAIR WALDEN: They definitely will have that opportunity. We're within 30 minutes' drive for them to attend any of our hearings.

Adjourns the meeting at 5:46 p.m.



Submitted by:      Reviewed by:

Carol Wilder      Adrienne Sexton Assistant      Administrator

EXHIBIT LOG:

A            -      Testimony on HCR1 - Irv Fletcher - 2 pages