

California State Archives  
State Government Oral History Program

Oral History Interview

with

**ALLEN MILLER**

California State Assemblyman, 1953 - 1959

September 9, 10, and October 19, 1987  
La Jolla, California

By Carlos Vásquez  
Oral History Program  
University of California, Los Angeles

RESTRICTIONS ON THIS INTERVIEW

None.

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## PREFACE

On September 25, 1985, Governor George Deukmejian signed into law A.B. 2104 (Chapter 965 of the Statutes of 1985). This legislation established, under the administration of the California State Archives, a State Government Oral History Program "to provide through the use of oral history a continuing documentation of state policy development as reflected in California's legislative and executive history."

The following interview is one of a series of oral histories undertaken for inclusion in the state program. These interviews offer insights into the actual workings of both the legislative and executive processes and policy mechanisms. They also offer an increased understanding of the men and women who create legislation and implement state policy. Further, they provide an overview of issue development in California state government and of how both the legislative and executive branches of government deal with issues and problems facing the state.

Interviewees are chosen primarily on the basis of their contributions to and influence on the policy process of the state of California. They include members of the legislative and executive branches of the state government as well as legislative staff, advocates, members of the media, and other people who played significant roles in specific issue areas of major and continuing importance to California.

By authorizing the California State Archives to work cooperatively with oral history units at California colleges and universities to conduct interviews, this program is structured to take advantage of the resources and expertise in oral history available through California's several institutionally based programs.

Participating as cooperating institutions in the State Government Oral History Program are:

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Center for California Studies  
California State University, Sacramento

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University of California, Berkeley

Oral History Program  
University of California, Los Angeles

The establishment of the California State Archives State Government Oral History Program marks one of the most significant commitments made by any state toward the preservation and documentation of its governmental history. It supplements the often fragmentary historical written record by adding an organized primary source, enriching the historical information available on given topics and allowing for more thorough historical analysis. As such, the program, through the preservation and publication of interviews such as the one which follows, will be of lasting value to current and future generations of scholars, citizens, and leaders.

John F. Burns  
State Archivist

July 27, 1988

This interview is printed on acid-free paper.

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## INTERVIEW HISTORY

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### Interview Time and Place:

September 9, 1987  
Home of Allen Miller in La Jolla, California  
Session of two hours

September 10, 1987  
Home of Allen Miller in La Jolla, California  
Session of one and one-half hours

October 19, 1987  
Home of Allen Miller in La Jolla, California  
Session of one and one-half hours

### Editing

Vásquez checked the verbatim manuscript of the interview against the original tape recordings, edited for punctuation, paragraphing, and spelling, and verified proper names. Insertions by the editor are bracketed. The interviewer also prepared the introductory materials.

Miller reviewed the edited transcript and returned the transcript to the UCLA Oral History Program with only minor corrections.

### Papers

There exist no private papers which the interviewer was able to consult for this interview, although the interviewee did share a copy of a legislative report and press releases with him.

### Tapes and Interview Records

The original tape recordings of the interview are in the university archives at UCLA along with the records relating to the interview. Master tapes are preserved at the California State Archives.

## BIOGRAPHICAL SUMMARY

Allen Miller was born in Uniontown, Pennsylvania, on March 7, 1906. Raised by his mother in Los Angeles, he attended the Harvard Military Academy before going on to Pomona College. He earned his B.A. and LL.B. degrees at the University of Southern California. In 1929 he began practicing law and married Dorothea Ruff.

In 1939, during the Culbert L. Olson administration, Miller was appointed State Registrar of Contractors and developed standards for testing and licensing state contractors. Unable to enter the military service during World War II because of poor vision, he served as assistant counsel at the Douglas Aircraft Company until 1944. That year he formed a law practice in San Fernando with the then Assemblyman Julian Beck. In 1953, when Beck was appointed to a Municipal Court post by Governor Earl Warren, Miller ran and was elected in a special election to fill Beck's seat in the Forty-first Assembly District.

A Democrat, Miller served in the assembly from 1953 to 1959. He chaired the Rules Committee from 1957 to 1959 and served on other important committees. Among his most important legislation were bills dealing with abandoned property, establishing the California State University, Northridge, and the Tidelands Oil Leasing Act of 1957. He was active in reforming legislative practices he saw as inefficient or corrupt, and was a member of the "Young Turks," a bipartisan reform group in the assembly at the time.

In 1959 Miller was appointed to the Superior Court bench, Los Angeles County, by Governor Edmund G. Brown, Sr., served in juvenile and psychiatric courts until 1962, when he was assigned to the Criminal Division of the Southwest District Branch, Los Angeles County. He retired from the bench and politics in 1973 and presently lives in La Jolla, California.

I. LIFE HISTORY

[Session 1, September 9, 1987]

[Begin Tape 1, Side A]

Family History

VASQUEZ: Judge Miller, as part of this interview, we'd like to have you give us some insight into your personal, professional, and political formation. Can you tell us about yourself?

MILLER: Well, I suppose the starting place was at birth, and the location was Uniontown, Pennsylvania, a coal mining town in western Pennsylvania. That was March 7, 1906. I stayed in Uniontown, where I was born, until 1912 or 1913, when my mother moved to California.

I was raised by my mother alone, without a father. She and my father separated before I was born. He continued to live in Uniontown. He was fifteen years older than she was. She admitted later on she was rather naive and they just didn't make it the first few years. So she came home to mama and papa. Papa was the

sheriff of the town at that time, one of those six-shooter western guys, and his girl could do no wrong. Evidently, from what she told him or something--which after, she said, "I didn't tell anything bad about your dad at all"--but my maternal grandfather wouldn't let my father see me. Here I lived in the same town and never did see my father until I was ten or twelve.

So, my maternal grandfather died. He was a very popular person in town with the miners, as against the mine owners. I suppose I inherited my sympathy or empathy for the underprivileged a little bit from him. He used to take me out to these mining towns and I'd see the poverty in which they lived and the company store situation. He was what would be considered today a liberal Democrat fighting for the underdog. So, I think I inherited--because that was the only male association I had--my political philosophy from my grandfather.

My father, when I got to know him, was very humanitarian. But he was with the [Joseph] Pew crowd, [the] Republican crowd, on the other side of the fence raising money. Joseph Pew was an

outstanding Republican in [Pennsylvania] representing the mine owners and the conservative element there. So I never had the impact of my father on my political life or political thinking or philosophy. He didn't have any impact like my grandfather did.

VASQUEZ: What was your grandfather's name?

MILLER: George McCormick. He was one of six Irish, Scotch-Irish [which] was common in Pennsylvania at that time. I used to hear about his going after these gangs and shooting people. I lived in Uniontown, close to my grandfather, with my mother, until I was--well, what?--six, seven, I guess. Yeah, seven. He [grandfather] had a drinking problem, too, incidentally. He'd get boozed up and then he would go crazy. He was a kind-hearted man, loved everybody, but when he had booze, I got out of his way. [Laughter]

So, that was the background in Uniontown. I'd hear nothing but good from my mother about my father, who was a fine man. She never said a mean word about my dad. Incidentally, after my grandfather had died and I had seen my father, he--later on, as I will tell you--went way out

of his way to put me through the best schooling and do everything he possibly could for me. My mother and father met and went on trips together frequently. He waited around to see whether she would ever, maybe, join him again in the marriage thing. Finally, she made the break first and married somebody else and then he married somebody else. In fact, he married an old friend of my mother's. Very interesting family background in this situation. But [I] never [had] any dislike or hate for my father, at all. It was love and respect when I got to know him.

VASQUEZ: So you tended, as a young boy, to interact more with your mother's side of the family? Is that right?

MILLER: Yes, because they were there and my father wasn't there. So, I related philosophically with that. When we came to California, there wasn't much money available. Mother had to work at the Broadway department store to make a living and contribute.

VASQUEZ: Why did she come out to California?

MILLER: Well, primarily because her father became a

tubercular and was fighting booze. The climate. That influenced their coming here. We had lived in several places in south Los Angeles down near Adams [Boulevard] and Washington [Boulevard] for several years. He owned an apartment on Sixth Street, or bought an equity in one. Eventually, he lost it. But it was one they had a fire a few years ago. It was on Sixth [Street] near Alvarado [Street]. We lived there for a while, in this apartment.

My grandfather died about three, four years after we came to California. Maybe in '14, '15, somewhere around there. His wife was a friend of my father's, close friend of my father. In fact, [she] used to date him. So, she immediately got in touch with my father and said, "Well, George is dead and you ought to see Allen, he's a fine boy." So she made arrangements to take a trip East, [and] brought me along.

[I] met my dad for the first time when I was ten, twelve, thirteen, somewhere around there. He was talented, of considerable affluence and importance and he ran a jewelry store. He [had] worked his way up from sweeping

out [the store] and the old man left him the jewelry store. And then he got into banking and he became very well-to-do.

So, this was a new world for me when I went back there. Here I lived in semipoverty out here, and then I went back and my dad was a big shot in town and lived in the best houses and had the nicest cars. I was favorably impressed with that situation. In California, before I saw him, there were three generations and I was the only male in [the household]. My mother, my grandmother, and my great-grandmother, who was an invalid. The whole thing gravitated around females and no male to give me any guidance or direction of any kind. So, I became a little bit of a problem, apparently. I would run off as boys were inclined to do.

#### Formal Education

VASQUEZ: Is this in Pennsylvania?

MILLER: This is out here, in Los Angeles. So, finally, my grandfather suggested to my father that probably I was in need of a military school, or something where I got male influence. And so, we found the best school in the Los Angeles

area, the Harvard Military School, affiliated with the Episcopal Church. So, I talked my father into entering me there in 1918. First, in the summer school, and then later, I was a boarder--five years--at Harvard Military School.

VASQUEZ: Were you a good student?

MILLER: An excellent student. As I say, it was like an English public school. The headmaster was the bishop of the church. In my freshman year, he talked me into taking Greek. I had private Greek lessons with him for four years and read the New Testament in Greek with him. His influence on me was tremendous, on moral and ethical values. But the military part I didn't relate to. I was disobedient constantly. I entered as a private and graduated as a private because I was always violating rules. I was a nonconformist. [I] did well in athletics, did well in studies, literary society and the drama society.

VASQUEZ: What were your favorite topics?

MILLER: Oh, I don't know as I could say I had any favorite. I could tell you unfavorable topics. Mathematics, no. I had no [interest], although

I got A's in them because I wanted to, but I wasn't stimulated in any way. But history stimulated me and English stimulated me and drama stimulated me. Of course, languages: Latin, Greek, both of them stimulated me. So, it was an odd situation. The headmaster and the bishop was always going to bat for me when I was in trouble with the military phase of school and being threatened to be kicked out for disciplinary reasons or otherwise. He would come to bat because I was one of his favorite Greek students. But I finally made it and graduated from Harvard School. It did a lot for me, not only in the formal part of the education, but in stimulating reasoning and philosophy and my values.

From there I considered myself a scholarly person and so in selecting a college, several of my friends wanted to go to eastern colleges and entered Dartmouth. In fact, I applied for Dartmouth and passed the exams to be entered there. And Princeton, too. Because my father wanted me to go to Princeton. I was making up my mind which one I'd go to, and then I met a

young lady out here and I decided I wanted to stay in California to spend a little time with her. So, the only Phi Beta Kappa chapter at that time was at Pomona [College]. So for only that reason, I went out to Pomona because I wanted to make Phi Beta.

Well, when I got to Pomona after six years of confinement in military school, with all this built-up energy, I learned what fun it was to play. To drink and play and be unsupervised. And I was doing athletics, too: football, track, out there on freshman teams. But, also, I was roughhousing rooms and I was a kind of a vandal, wild guy. And so the dean suggested at the end of my freshman year that perhaps I'd be happier at some other [institution]. "No trouble with your grades, but you'd be happier at a metropolitan school," he suggested. I thought they were a bunch of long hairs out there and I agreed with him [about leaving].

So then I entered USC [University of Southern California]. Incidentally, the [Laughter] girl thing lasted about six months and there were other girls I found at Pomona who

were more attractive, anyhow. So, at any event, I transferred then to USC and lived in Hollywood. By that time, my mother had moved with my grandmother to Hollywood and we lived in Hollywood while I was going to college. I went to the [Coconut] Grove, dancing, and I learned how to consume a lot of liquor and I enjoyed life, tremendously. [Laughter]

VASQUEZ: Your father was subsidizing you at the time?

MILLER: Yeah, he subsidized me, I had an allowance and . . .

VASQUEZ: But you never had any inclination to want to go back East to school?

MILLER: No, after that, no. I made my connections at USC, including my present wife, and got along fairly well. I joined a fraternity, but then I was so naive about that that they put a pin on me one night because they thought I was an athlete. Then I found that I was in a fraternity with a lot of YMCA boys and I didn't fit. So, they kicked me out two or three times and had me back . . . [Laughter]

VASQUEZ: What was the source of the conflict?

MILLER: Well, a lot of them were the student body

president type and scholarly, and I forgot all my scholastics. Phi Beta Kappa and all that stuff was a bunch of jazz by this time. I wasn't interested at all.

From the time I can remember, I always wanted to be a lawyer. I had no lawyers in the family of any kind. My mother asked me one day when I was, oh, ten or twelve, "What's this lawyer business? Why do you want to be a lawyer?" "Well, lawyers are supposed to win arguments and I'm losing arguments with you all the time and I want to learn how to win them." It was as simple as that. No deviation from that desire, I was going to be a lawyer, from the time I was twelve on.

So, everything in college was a ball for me having this good background, education, out of Harvard. I just coasted with a minimum of effort through all of my classes in liberal arts. Just looking forward at how I could get in and out of law school as fast as I possibly could.

I had developed a great faculty, with a minimum of effort, of storing away things in my

mind, that could be brought out, so I made the grade situation constantly. Although it didn't remain very long. I would read my cases in law school while the professor was calling on somebody else, I was keeping ahead of him by one case or two by reading the cases. So, no pain, with a minimum of effort. No night work or any struggling of any kind. Law school was a ball for me, just a breeze. My colleagues in law school just couldn't understand how in the world I could get the grades to get by with the minimum of effort that I put in it. I graduated from law school in 1929. And I'd been going with this wife of mine for two or three years while I was going to school. She was much more conservative. She wasn't the playgirl type, but I guess she saw something about me that sparked.

After I finished law school, we decided to get married in August before I knew what the end [results] of the bar [examination] would be. No pain there, I'm going to pass the bar just like anything. I don't have to wait for that. "Let's get married and as soon as we get married. . . ." And she said, "Well, you ought

to be earning at least three hundred dollars a month." I said, "Oh, we won't have any trouble making any money." So, we were married in August. And Judge [Eugene] Fay was in our class, too. He was a close friend of Governor [Culbert L.] Olson, and this is how I got into Governor Olson's campaigns; because [Richard] Dick Olson was married to Gene Fay's sister, and that all worked out.

As soon as I was admitted to the bar in 1929--I had already been married for two or three months--my father had said, "Hey, I'm giving you two thousand dollars for a wedding trip. That's the end of the road for you. You're on your own from here." Here, I'd [Laughter] had an ample allowance and everything else and, that was '29. It was the Depression days.

#### Forming a Political Philosophy

VASQUEZ: What effect did the Depression have on you economically, and in terms of your political philosophy?

MILLER: Well, I think my political philosophy had been already pretty well established. Well,

[Laughter] my first vote was for Norman Thomas. This was when [Governor Alfred E.] Al Smith was running, the Democratic nominee, and [President Herbert] Hoover, the other thing. I was the renegade. I believed the government had a big role to play in respect to the welfare of the citizens. And I liked the semisocialism of Norman Thomas. He was a brilliant man, too. That attracted me. Much to Mrs. [Dorothea] Miller and her family's chagrin, who were conservatives, [Laughter] they just couldn't believe that I could be so crazy as to think like that. They didn't like Smith, either. I never was ambivalent in respect to which [political] direction. . . . I was a born Democrat, I was a born liberal.

VASQUEZ: You seem to have maintained your political outlook through the USC period, through Pomona [College]. None of that affected you?

MILLER: None of it affected me a bit. It was inbred in me somehow. Except for the socialism versus the democratic liberal, I never had any deviation at all.

VASQUEZ: What attracted you about socialism at the time?

MILLER: It wasn't out of any great analysis, but I think I was enamored with the candidate and his intellectualism and his [ability] to reason. It appealed to my idea that government is for the benefit of all of the people and not just a few. And, of course, I'd never experienced the basics of capitalism, that I had to earn a living, and that the harder you worked the more you made. Everything was easy for me and nobody was there to say, "Hey, you've got to have this philosophy of capitalism." And so it was easy for [Laughter] me to say, "Hey, I'm a liberal."

VASQUEZ: So, as a young lawyer during the Depression, did you have a hard time of it?

Early Legal Career

MILLER: Yes, I did. When I was going to law school, my senior year, I became affiliated with a young attorney, a graduate from USC, that had married into money and had made good investments in the Santa Fe Springs oil field. He was a lone practitioner, Roy Maggart. And his name will come up in tidelands [oil] later on. After I graduated, I stayed on with Roy Maggart in the practice and he was so busy promoting oil.

He represented a lot of oil well supply companies, [Samuel R.] Sam Bowen of Huntington Beach, who was the mayor then, and American Seamless Tube. I did a lot of preparations of law suits and things of that kind in that area while he was promoting oil developments at Huntington Beach. And he gave me a lot of responsibility in this. But the money wasn't [much]. Well, it was enough to get by on. But then, all of a sudden, I found myself in the thirties--'33, '34, or somewhere around there-- in which he folded up and he was disbarred eventually.

VASQUEZ: Why was he disbarred?

MILLER: Because he was a promoter and he was taking funds from other clients in order to handle his promotions. And buying off the legislature, too, Governor [James] Rolph [Jr.] and the rest of them, in order to accomplish his own bonanza of owning all the oil out at Huntington Beach.

VASQUEZ: Was he connected then to the oil lobby at the time?

MILLER: No, I wasn't.

VASQUEZ: This attorney.

MILLER: Roy Maggart? Oh, yes. He wanted those tidelands oil that Superior and Standard Oil were draining from whipstocking out in there. Oh, that's a story in itself.

VASQUEZ: We will come back to it in more detail.

MILLER: Well, all right. Now we're on education. We're on Depression and the effect of the Depression.

VASQUEZ: Your first years as a private attorney.

MILLER: When that part of it ended, I was knocking on doors all over and the first one that was very repugnant was a job that I found answering an ad for a collection agency. I was employed as an attorney for a collection agency. That collection agency handled oil credit cards that they had given out willy-nilly to attorneys. The attorneys were broke and couldn't pay their bills. So, I had to collect--try to collect--from these attorneys that didn't have enough to eat.

I was told by the collection agency guys, "Now, here's what you do. Those attorneys have to appear in the journal every time they file a law suit. And as soon as they file a law suit, I want you to run a garnishment on their

clients." That was the final thing. Now, I tried to call the attorneys up ahead of time and I'd say, "Listen, I work for this son-of-a-bitchin' outfit and here's what they're asking me to do. And I don't want to do it. Can you send me five bucks or something like that so that I can hold it?" I wasn't loyal to my employers; [Laughter] I was loyal to my fellow practitioners, who were in trouble. I was successful in getting the collection agency a lot of money through this device. But, finally, they came around and were checking on me, [to see] whether I was doing as they ordered me to do. And I said, "Well, you shove it. Good-bye."

So then I kicked around. I had a hell of a time finding employment. So, finally, a friend of mine said, "Well, listen, why don't you sell Fuller brushes?" I said, "Well, all right. Tell me how to do it." So, I became a Fuller brush salesman. And this was the worst experience I ever had. I just wasn't used to knocking on doors and putting my foot in and doing the things that a salesman has to do. I

just have no salesmanship in me and my knees shook every time I went up to the door. I did this for a month or so, and then I'd get in political discussions and philosophical discussions with my clients rather than selling brushes. And so it was a fiasco as far as earning money was concerned. [Laughter]

Then I found employment with one attorney and I was nothing more than an errand boy in the place. This was three or four years after I'd been in practice. Then there was another firm I was associated with--Stewart, Shaw, and Murphy. I didn't have an office on my own. I didn't have any clientele. I had to hang out in the library doing research work. But that was just enough to live on and it wasn't really at all doing what I was supposed to do. This was in '36 and '37 that this episode was going on where I was very unhappy in my employment and what I was doing.

## II. EARLY POLITICAL CAREER

### Working in the Culbert L. Olson Administration

This is when I had a call from my classmate,

Judge Gene Fay, who said, "Allen, Governor Olson is starting to campaign and he'd like somebody in his office that has a little bit of experience in keeping things going, continuances and so on. Would you consider coming with him? And if so, he'd pay you an adequate salary." I didn't know what it was. And I said, "Well, that sounds good because I'm at loose ends where I'm not happy in what I'm doing." And so, I remember following through on that.

I had a call from his son, Dick Olson, in the middle of the night saying that they were trustees and somebody was going to run an attachment on some monies. And we needed right now to stop this. Judge [Myron] Westover was the man who was sitting on top of this thing and if I could make a motion before Judge Westover the first thing in the morning. So, I said, "Well, sure. I'll find out about it and make the overture." Finally, he said, "Well, maybe it would be too late in the morning." And I said, "Well, find out for me, if you can, where his home address is and I'll call him." I got him at 5:00 in the morning and I told him there was

something very important that was on his calendar. And he said, "Who are you and what are you doing?" And I said, "I just have to see you with respect to this thing." And here I'd never met Judge Westover, I didn't know him from Adam's half ox, but this was something I had to do for Governor Olson to help him out. Sure enough, he did see me in the morning and I got my restraining order and so I was somebody with Dick and Culbert Olson.

#### Winning Progressives for Olson

I remained in his office at that time handling mostly the odds and ends of the practice he was trying to keep together while he was campaigning. But during that episode in his office I chatted with him. He said, "You know, [Upton] Sinclair was defeated in '34 as a result of [Raymond L.] Ray Haight, a Progressive Republican, coming in and splitting the vote. Sinclair would have won if it hadn't been for Haight splitting off the Progressive vote." And he said, "I don't want to see that happen again in my campaign." He was running against [Frank E.] Merriam, is my recollection.

Ray Haight had filed and was going to try to do the same thing. So the governor said, "How would you like, Allen, to get for me the Progressive nomination? I'll give you the list of all the registered Progressives in the state and you frame a campaign direct to them."

The Progressives at that time were the old [Robert M.] La Follette Progressives plus the left over of Sinclair's campaign, End Poverty in California [EPIC]. There were about ten thousand of them registered in the state. It was a specific challenge to me that sounded extremely exciting. I said, "Yeah, I'd like to take that on."

VASQUEZ: Had you ever been involved in a political campaign before?

MILLER: No, never.

[Interruption]

But, in any event, the first thing I did was go call on some of these Progressives in Maywood and understand why they were Progressives so that I could give my pitch to them directly. They weren't all of one mind. There was a lot of old La Follette Progressives.

At least half of them were but Ray Haight captured them in the '34 election. Apparently, it was, "I hate both of the parties, I want to be something different." Like the Liberals in England.

VASQUEZ: Was a common denominator the [Franklin D.] Roosevelt program?

MILLER: With these people?

VASQUEZ: What common denominator did you find ultimately?

MILLER: What's that phrase? I don't like either one of them because . . .

VASQUEZ: "Pox on both your houses?"

MILLER: Yeah. "Both the Democrats and the Republicans are a bunch of crooks anyhow, and I just don't want to belong to them." This was the offshoot of particularly the Sinclair people, you know, and I didn't see too much Roosevelt or non-Roosevelt at this time in this. But, anyhow, I tried to analyze what they stood for, what they wanted, what the greatest appeal was.

Most of the La Follette Progressives were residing in the northern part of the state, and the Sinclair people were concentrated down in Los Angeles. So I had different approaches I

had to make because of this demographics situation. I think he [Olson] gave me a budget of about ten or twelve thousand dollars and this was my role. I had about four mailings, different mailings for different types of approach to the thing. It wasn't damning Haight, but not wasting votes. The approach was primarily, "Governor Olson is a Progressive too, and we're proud of people who want to think independently, blah, blah, blah." This was the approach. And so, came the returns and I was sitting in the Biltmore Hotel with Governor Olson and Dick at 3:00 in the morning and I can remember the governor coming in to me when he had won the Progressive nomination. He came in and put his arm around me, congratulated me, "You did a good job, son." Haight wasn't in the finals of the situation and he couldn't go on. . . . Now, wait a minute. I'm not sure of this. We exhausted his resources sufficiently. And it may be Olson didn't win it. I think he did. Later on Haight withdrew as an independent because he didn't have any more resources to go. So it was a success as far as Olson was concerned, that

threat of his [Haight] being in the middle was removed. So that was my first campaign experience. Because it was so limited and concentrated, it was an exciting situation.

VASQUEZ: You were developing, again, arguments. Is that right? You were developing philosophical and political arguments?

MILLER: Yes.

VASQUEZ: You weren't raising money or . . .

MILLER: No, no, no, no, no, no, no, no.

VASQUEZ: It was strictly an intellectual function.

MILLER: Oh, that's right. I never would fit into today's money-raising game. I couldn't. It would be so antagonistic. No, this was primarily, as you put it, a philosophical approach.

VASQUEZ: So did you stay in the Olson administration long?

MILLER: This is a new administration when the Democrats hadn't been in power for so many, many years. We came up and there were a bunch of naive people not knowing which end was up. Oh, Phil [S.] Gibson, who was eventually the director of finance for Olson, I made a close personal

contact with Phil Gibson while running this Progressive campaign.

VASQUEZ: What was his role at that time?

MILLER: Well, he was one of the principal campaign advisors of Olson. He had connections with the movie industry and Loew's [theater chain]. And also, I went to him handling this Progressive thing. I went frequently to him for instructions and money. When we all went up to Sacramento for Olson's inauguration, everybody was scrambling for jobs. They found a spot for me in the Department of Water Resources doing some legal research in underground waters. So they stuck me in this department which wasn't political in any sense. It was lawyering in an area of water I didn't know anything about, but I learned a lot in that particular position.

The Samish Influence in the Legislature

VASQUEZ: Did you have much contact with legislators at the time in this position?

MILLER: No, not in the position of the water thing. No contact with the legislature. Although, as we came up there, the whole Olson regime became very conscious of the role that the legislators

were playing during the [Arthur H.] Artie Samish days. I gave you that report.

VASQUEZ: The Philbrick report of 1938.<sup>1</sup>

MILLER: Nineteen thirty-eight. Certain people up there, like [Charles W.] Charlie Lyons and the Samish gang. Then we had some Democrats coming in, young Democrats that were like [John W.] Johnny Evans and [Don A.] Allen that just had no experience of any kind, and they were just suckers for Samish and his operation. We just hated to see some of our nice young boys getting trapped in that money game.

VASQUEZ: How were they entrapped, specifically?

MILLER: Well, I don't know. I never sat in on any of the poker games that they supposedly were winning money at. It was all in the rumor mill. When Olson proposed some liberal legislation and all of a sudden you'd see these guys were voting the other way.

On the big liberal side [issues], they'd go along with that. But any money bills that

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<sup>1</sup>. H. R. Philbrick, Legislative Investigative Report, 52nd Leg. 1st Extr. Sess., December 28, 1938.

didn't effect the whole general thing, why they just went in a different direction. And so, I guess that's the way the game is played. But I never had personal contact with any of them.

Oh, this might be a little thing. During the Olson campaign, I became acquainted with the guy I admired very, very much and really urged him along with Phil Gibson, [Senator Robert W.] Bob Kenny, to run for the senator's old seat, or Olson's old seat. I mean, the senator from Los Angeles County. So I became acquainted with Bob and friendly with him when we came up here [Sacramento]. That's one of the good contacts I had, was Bob Kenny in the senate. He was such an easygoing, lovable, everything's-all-right kind of guy. I think [Governor Earl] Warren appointed him to the bench, and he got off the bench in order to run for the state job.

[End Tape 1, Side A]

[Begin Tape 1, Side B]

Registrar of Contractors

MILLER: I was caught in a job that was just a stopgap job, an exempt job in the Department of Water Resources. One of the jobs that were exempt was

the executive officer to the contractors state license board. They said, "Well, what do you think of that?" And I said, "I don't know anything about it. "You get a Packard automobile and you get three hundred dollars a month. Seven contractors of various types are on this board and they license and discipline. They need an executive officer. Most of them are very conservative," they said. "So, this is an opening." Well, I said, "Let's go."

The first man I was introduced to was a civil service employee. It was an old political buddy of [Governor James] Rolph's, Glenn [V.] Slater. He was assistant registrar of civil service. I made contact with him first. Technically, I've got to be employed by the board rather than by the governor. So I get an education from Glenn Slater, the old, civil service, Rolph guy, he said, "Hey, well, here's the way to do it. There's one guy on this board that if you can cut the mustard with him, why, I think he can sell you. And here's what they're interested in more than anything else. We have no examination procedure. You get a contractors license if you

have ten dollars and two friends that are material men--and you've got a license." And the board had been, for a long time, wanting to build some walls around the profession.

The other registrars haven't been able to put an examination procedure in, or classification of all these contractors. He said, "If you sell that, why you're in." And he knew these board members. So he took me around and first laid a foundation with a general contractor in Fresno, a pretty close friend of his. I think I sold him pretty well. And they wanted to be friendly with the governor, too. So, if I was the governor's man, why, they were inclined to go along. Finally, he took me up to a big, general construction contractor--whose name I've forgotten now--who built railroads in San Francisco, an old-line guy. He took me in to introduce me to him. And [Laughter] he said, "You want to be registrar of contractors? What do you know about contracting?" "I don't know a damned thing. I was trained as a lawyer and I think I can be helpful to some of your desires." And he says, "Well, for god's sake," he says,

"what are you? A Democrat or a Republican?" I said, "Well, of course, I'm a Democrat. I came in with the Olson administration." And he said, "Well, I'm a Republican." He says, "I don't know you from Adam's half ox. I don't know whether I would vote for you or not." And I said, "Well, I'm soliciting your vote." And when I left, he turned and says, "Hey, you're a pretty square shooter." He says, "I'll go for you." [Laughter] He was one of leaders in the thing. So I was registrar of contractors in the state of California.

VASQUEZ: So you had developed some criteria for the testing procedure?

MILLER: No. Now, after that I knew what they wanted. It had never been done. Some of the registrars beforehand tried it and they fell on their face. I found in that department a licensed civil engineer, a licensed architect, who was working for \$150 a month as an inspector down at the bottom of the line. A Jewish boy that was very ambitious, but he was way underqualified for what he was doing. And so, the first thing I had to do in this job was define the various

types of contractors. The little guy that did repairs as against the building-bridges guy, and then draw definitions of these phases of contracts and then who can get out of that phase into general contracting.

So, I got Harry Abrams, and I said, "Harry, would you like to set up a separate position for you away from inspecting and all this? Get your pencil out and all your knowledge, and let's get a classification system. And then when we have that, let's get a common examination that will cover both the top and the bottom to get it just going." He said, "Sure. I think we can do that. Will you give me four months?" And I said, "Well, I'd like it sooner than that. But if we can do it then, let's go." So we did and the board clapped their hands, it was happy and we put it into effect. It's the first time they'd had an examination for contractors for the state.

I almost fell on my face in that job because they were a hard-drinking bunch and every time they'd have a board meeting they'd all get drunk. And I was trying to keep up with

them. [Laughter]. . . . Oh! Let's get a little politics in. While I had this job and this Packard automobile and [along] comes the war and me thinking about Olson being reelected and how do I use my knowledge in the contractors in the war effort.

Assessing the Olson Administration

VASQUEZ: Before we move into that, what's your assessment of the Olson administration, now that you've had time to think about it?

MILLER: [Laughter] Inexperienced, inept. Olson looked like a governor, but he didn't know how to get along with people. He didn't know how to relate, to compromise, he just was a lousy governor, totally. He was an idealist. There was no question about his ideals and [that he was] devoted to the underdog and liberal, humanitarian things. [But] outside of his looks, he didn't have any abilities whatsoever.

The "Economy Bloc" versus Olson

VASQUEZ: And this, in spite of a very popular national administration?

MILLER: Yes, yes. Really, it was pretty sad. Phil Gibson was the only guy with any solidity that

he had with him. All of the other people were, I think, inadequate. I don't remember all of their names; of course, this was where welfare and "end poverty" and all of the concepts of social benefits through government legislation [come in]. And then that story of his dealing with the legislature. Paul Peek was Speaker of the Assembly. Paul was an intelligent guy everybody loved and liked. But this is when [Assemblyman, later Speaker of the Assembly] Gordon [H.] Garland pulled the phone out from the governor's office. That famous story. Of course, the "Economy Bloc" formed right away. All the Olson haters, [Don C.] Field from Glendale and all of these guys that formed the Economy Bloc. [Don A.] Allen was one of them. He came in [Laughter] with the administration, but he soon got on the side of Gordon Garland.

VASQUEZ: Was that as a result of his seeing the administration as inadequate, or a change in his philosophy that he switched sides on him?

MILLER: Although he had been in the senate--Olson we're talking about--he just didn't have the ability to be a hale fellow and make people feel good.

He antagonized practically everybody and attributed wrong motives. The worst thing you can do in politics is try to attribute wrong motives to a person's action or need. Even though he may be a son-of-a-bitch and a crook and all of that, you don't go out saying those things.

VASQUEZ: You can think it but you should not articulate it. Is that right?

MILLER: That's right. [Laughter] That's right.

VASQUEZ: Allen went over to the other side as the result of what?

MILLER: God bless him, he's gone now. For a long time, he and his wife were coming back [to politics] and having an interest. But Allen went over to Gordon Garland's side and part of the Economy Bloc. And it may be a sincere thing. Maybe he thought that this was wild spending that Olson was advocating. Maybe he did it sincerely. Maybe I shouldn't attribute any ulterior motives to him other than that.

VASQUEZ: You think Olson was wanting to replicate at the state level the New Deal when really the need for it, or the popularity, was waning? Might

that have been a problem?

MILLER: Well, it could have been the problem. I can't say from any conversation with Olson or his people around him that it was necessarily a motivating factor. It just was his personality.

VASQUEZ: Political style?

MILLER: Political style. Here this wonderful man, [Franklin D.] Roosevelt comes along with his charm and his personality and his style and he accomplishes these things by his charm, and ability, too. And Olson just didn't have it.

Olson's 1942 Campaign

VASQUEZ: Now you were going to tell me about Olson's campaign coming up.

MILLER: Well, so, the first thing is that how can I get this organization of contractors, Associated General Contractors, to participate and be organized in the war effort. So, I went to Washington to learn how we could help. Asked questions, what could we do? How can the Associated General Contractors, or how can we, as a licensing agent, participate in the gathering of data or inventorying or things of this kind? I did come back with some

suggestions from the people--I don't even remember what agency--and took them back to my contractors and they helped. Between our agency and the Associated General Contractors, we did set up an inventorying situation that was helpful in the war effort.

Then, Olson and his advisors at that time [said], "We've got to take some steps to see whether we're going to be reelected or not." So, I was given the job to go around the state and contact every county central committeeman. Nobody knew who they were. They had no power. They had no input. I found the system of county central committees running the Democratic party, as such, was a joke. I hit them from Crescent City down to here to San Diego and I kept a book and evaluation of each one's philosophy or what they felt. I forget how many. There were several hundred. I then peddled it back and tried to suggest to Olson and these campaign managers that they better get on the phone and call some of these guys here and energize them.

Democratic County Central Committees

VASQUEZ: What was the size of the average county

committee in those days? I know it's hard to talk about averages given the disparity of the counties.

MILLER: My recollection is that they ran around fifteen, twenty or twenty-five, somewhere around there. And a lot of them didn't know what they were supposed to do. [Laughter] Some of them didn't even know they were county committeemen because most of them were appointed, you know, by the elected officials, the assemblymen and the senators. It was used as a kind of a pat on the back [but] they weren't active in the campaigning at all, particularly. It soon became evident to me that Olson was [Laughter] a lame duck. And who was he running against? Who could beat Earl Warren with his appeal? "So, you'd better find out what you're going to do next!" [Laughter]

VASQUEZ: Was that your advice to him?

MILLER: [Laughter] Well, it was advice to myself. And I think I told someone, "I think this is a losing battle." In my naivete, because I thought I'd done a damned good job for the contractors, I went to the head guy, Roy Butcher, who was doing a lot of electrical

contractor [work] in San Jose. He was a hard drinker but he was one of the leaders on the county board. I said, "Roy, I think I've done a pretty good job for the contractors license board of examiners." He said, "I think so too, Allen." I said, "Well, under the new administration, what's the chance of my continuing?" He says, "Zero. This is a political appointment." And he said, "You're kidding yourself if you think that you could remain under a new administration." He said, "Face the facts and get out." [Laughter] Which was good, practical political advice. But here I was thinking that I did so well that I should be honored, or something like that.

So, when Olson was out and Warren came in, the war was coming along and I wanted to participate in the war effort. I wanted to be in the navy if I could. I had some friends that were in naval procurement and I found a couple of jobs in naval intelligence [so] that I would get an officership. [I] had it laid down pretty well until I went to see the admiral. My eyes were such, he said, "We don't want anybody like

you. You're going to have to be on a ship sometime and we don't you wandering around when we're doing a bombardment." He said, "We don't need you or want you. Your eyes prevent it." I was pretty blind without my glasses and I was a very disappointed guy. But I didn't want to carry a gun on my soldier and be in the trenches! [Laughter] I'd been in a military school. That wasn't for me. So, finally, I decided, "Hey, listen, they're breathing down my neck on this situation." So I had a friend who was general counsel for Douglas Aircraft, Harry Elliot.

Civilian Service with Douglas Aircraft during World War II

VASQUEZ: So did you go into the service?

MILLER: No. I first got this job in the office of the general counsel of Douglas Aircraft and feeling that I would be exempt--and I would be exempt--except that I got my notice. [Laughter] The greeting said, "Come on down." Fortunately, the day before I went down with my little kit and ready to go off to war, and the good-bye parties. When I finally got down to the induction center, they said, "You're the luckiest guy

in the world." A notice came out the day before, "Don't take any more of these reserve non-physical qualifying guys. We've got enough of those guys."

VASQUEZ: You were in your mid-thirties by then.

MILLER: Yeah. I was in my thirties at that time. I was just free of the war as far as doing that kind of fighting is concerned. Then I remained on and did some work with the general counsel in Douglas Aircraft and particularly workmen's compensation. They were self-insured, so I had a lot of workmen's compensation things to handle and a lot of labor negotiations to handle. So for about a year or two, I was in that capacity. It didn't add much to my career or my philosophy or anything else. Except Douglas was very much antilabor at that time and I was in labor negotiations. I was supposed to be arguing for the employer and beating down the unions, but my heart and soul wasn't in it because of my political philosophy.

VASQUEZ: How did you reconcile that?

MILLER: Well, I had to go through pretty cold motions. My employer said, "Here is what we want and what

you've got to fight for." And so I had to do that. I had to put it forward, but I didn't put my whole heart and soul in it.

VASQUEZ: Some employers, especially those related to the defense industry, used the tactic of questioning people's loyalty, labor's loyalty. Did Douglas do that?

MILLER: No, never. I never experienced that there. [Laughter] Thinking of loyalty, in the [Senator Joseph] McCarthy days, later on, a year or two later after I [began] practicing [law] in San Fernando Valley, I belonged to a club, Kiwanis Club. And all of a sudden one of the reactionary Republicans in the club said, "All club members are going to take a loyalty oath and the board of directors has voted it." I wasn't on the board at that time. I said, "Well, all right. You're going to recommend that to the full membership, or are you just going to order it?" "Oh, we're going to recommend it to the membership." And I said, "Well, if you recommend it to the membership, you've got a floor fight at a luncheon. Put it aside and I'm going to take this one on." So they backed off of it as a result of that.

## III. PROFESSIONAL CAREER AND PUBLIC OFFICE

Law Practice in San Fernando

VASQUEZ: So now you're back to private practice?

MILLER: Yes.

VASQUEZ: Why did you leave Douglas?

MILLER: Well, I now had moved out into the San Fernando Valley and built a home out there and had a little orange grove--or, little lemon grove--and I was commuting when I was registrar of contractors. And, also, commuting when I was with Douglas. My wife was teaching school. She came to me one day and she said, "One of our fellow teachers' husband died a month ago. He was the city attorney [Clyde Moody]. He had a very fine probate practice, and she wants somebody to take over his office. Would you be interested?" I said, "I think I would be interested very much in that." So, I went to see his wife and she liked me. It was a single-man office, a private office. So, she said yes and I paid for the books and nothing for the good will, or anything of that kind. I walked in and started my law practice in San Fernando under those basis.

VASQUEZ: By yourself?

MILLER: By myself.

Association with Assemblyman Julian Beck

VASQUEZ: How long were you by yourself?

MILLER: Oh, not very long. Because within the first week or two that I was there, I sent a letter out to all of the people who Mr. Moody had drawn wills for and told them about the change. I had their wills if they wanted to come and get it or would they like to meet me or something like that. It was a very good PR (public relations) situation. A lot of them came in and I retained the clientele of his office pretty well.

About three or four weeks after I did that, I had heard that there was a man in town that was a Democrat. He was a member of the state legislature. He taught school and he practiced law only Saturday mornings. So, I went over and called on him one Saturday morning and told him of my experience during the Olson administration and of my political allegiance to the Democratic party, and the many people that we had as mutual friends, [including] the editor of the local newspaper [who] was a Democrat.

VASQUEZ: Do you remember the name of the publisher?

MILLER: Uh, well . . .

VASQUEZ: This is the San Fernando Sun?

MILLER: Yes, it was that, but the two fellows that were executives there were Missouri Democrats who really weren't the owners at that time, but they were the ones that I had associated with and knew, politically. They said, "You ought to meet Julian Beck. He's a nice guy." So, when I went over and met Julian Beck and told him a little bit of my background and where I came from in politics, and also that I had this new office. I said, "How would you like to form a partnership with me?" He said, "Well, I heard something about you, Mr. Miller, but I don't know. Isn't this pretty sudden?" I said, "Well, here it is. I know what you stand for and you're a school teacher and here you're trying to conduct your law practice on Saturday mornings and you're a member of the state legislature and I'm here full time to have a law practice with you. And we can work out the details of it, but it just seems to me we'd fit."

VASQUEZ: What was most attractive about Beck? His philosophy? His position in the state legislature?

MILLER: I didn't know much about him. I knew he was a Democrat and I knew he was solid with the people in town. He had a reputation as a very conservative kind of guy. I just moved spontaneously. From what I heard, it sounded like a fit. And [Laughter] he says, "Well, it's pretty sudden." He said, "Maybe so. But can you give me a few days to think about it?" And I said, "Why sure. You can check on me and so on and so forth." The next week, I called him and he said yes. I said, "Well, I'm going to put full time into this practice. And you have income both from through the legislature and from your school teaching and I want at least 60 percent, at least to start, until you change the situation. I also think Miller and Beck sounds much better than Beck and Miller. And so I insist on this, but I think we can get along." And we never had anything in writing after that. He said, "Yeah, let's go." So, this is how Miller-Beck was formed.

VASQUEZ: This is 1944, right?

MILLER: Nineteen forty-four. Then he had a hell of a campaign the next legislature. [William G.] Bill Bonelli [Sr.] had a son [William G. Bonelli, Jr.] that he wanted to get into politics. So Bill Bonelli put his son up to run against Julian. Besides the law practice, I spent a good time campaigning for Jay in this very nasty election.

The Forty-first Assembly District

VASQUEZ: Why do you think Bonelli went after that seat? And why Beck?

MILLER: Well, it's an easy area, district, Newhall-Saugus. And it was pride, somewhat. He had a lot of friends there. God, he had been a cowboy out there for years and years and years. He was a smart cookie, incidentally. Bill Bonelli was an intellectual giant, besides all the rest of the things that he did. But we also got [Richard] Dick White who was with the [Los Angeles] Mirror [-Daily News] and we knew we had a hell of a campaign on with the money that the Bonellis were going to raise and the shakedown of his licensees, board of equalization

licensees.<sup>1</sup> Was it White? No, it was somebody that later on became very prominent. Oh, my god, I've forgotten his name, that ran our campaign and we . . .

VASQUEZ: [Thomas C.] Tom Carrell?

MILLER: Well, Tom Carrell was the money. He was a Chevrolet guy [dealer] and he was a friend of both Beck and myself and he raised the money and was ostensibly the manager of the situation. But the fellow that we got really--the newsman out at the Mirror--oh, he became famous as a reporter of. . . . Oh, his name.

VASQUEZ: We'll pick up on him later.

MILLER: We had a very rough, tough campaign, and we beat Bonelli in that campaign.

VASQUEZ: What was your most effective weapon or tool in that campaign? The press? Beck's record?

MILLER: Yes, and the individual, personal communication. Julian Beck had established himself with the teachers group and as somebody that wasn't a typical politician. That he was a man of great

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<sup>1</sup>. Bonelli was then chairman of the State Board of Equalization.

integrity. He was winning--this is cross-filing days--he was winning his campaigns from Republicans as much as Democrats. What we had to do was a negative campaign, of Bonelli trying to buy a seat.

VASQUEZ: That was your thrust?

MILLER: That was what we had to stress all the time.

VASQUEZ: Tell me about the district as you remember it then.

MILLER: The majority of the votes were in urban northwest San Fernando Valley. It had the rural area of Antelope Valley. Politically, it had a predominant Democratic registration. But Antelope Valley, particularly, was a peculiar thing with their fairs and their community which was much more interested in the agricultural aspects of the valley than the urban area. It was very important that you do well in the Antelope Valley, even though it was 40 percent or less of the registered vote. And so Julian, I think won both nominations. At least the last time he ran, he did on a cross-file. And I won twice, I think, on a Republican ticket as a Democratic, primarily because I inherited the

goodwill of Julian Beck when I ran. He had an excellent reputation in the legislature and of doing things for his district.

Running for the Assembly

VASQUEZ: Why did you decide to run for Julian Beck's seat when he was appointed to the bench? Who encouraged you to run?

MILLER: Allen Miller encouraged me to run more than anybody else. Julian asked me. He said, "Well, the seat's going to be up for grabs. Would you like to take a whirl at it?" And I said, "Why, sure. I think I'd like that."

VASQUEZ: Were you pretty well known in the district by then?

MILLER: Yes. Yes, I had established myself pretty well. 'Fifty-three was a special election. See, when Julian went on, a special election was called. This is when we still had cross-filing. I ran against Bonelli in the special election and this was a three-way fight. The Republicans put up a personally very unattractive conservative out of San Fernando, in the banking business because they didn't want Bonelli, either. Bonelli had registered

Republican by that time, I think. And this other fellow was a Republican. So they split the Republican vote pretty well between them. I'm glad he was in there. This time we ran against father Bill Bonelli and his corruption in my special election the first time.

VASQUEZ: So, it was a another negative campaign?

MILLER: Negative, in the sense of who we were running against and the benefit of the Republican in there. I had established, through Julian, contacts in Antelope Valley for the rural vote up there.

VASQUEZ: The Antelope Valley [Ledger-Gazette] paper gave Julian opposition every once in a while, wouldn't support him. Did you get their support?

MILLER: They were lukewarm about it. We had certain people up there that were leaders in chicken-raising and alfalfa-raising and things of that kind, who were very influential. So, we didn't rely too much on the papers, as such. It wasn't a big element. Later on, they supported me partially, I think.

VASQUEZ: But they weren't that influential?

MILLER: No, no. They weren't that influential.

VASQUEZ: You worked through individuals that had connections?

MILLER: Yeah.

VASQUEZ: Associations or what have you?

MILLER: Right.

VASQUEZ: I notice a lot of members of the legislature at that time belonged to the Lions Club, the Kiwanis Club, the YMCA, the Elks, the Moose, etc. What did those associations do for one's political career or connections in those days?

MILLER: No active participation whatsoever. It's only the individuals in it. They didn't get behind the candidate as such, but you made the contacts and they liked you as a personality and thought you were a man of integrity. And so it was beneficial to join all of these things because you were brothers and they would vote for you because you were a brother Kiwanian, etc.

#### Partisanship in State Politics

VASQUEZ: Did this mitigate partisan labels sometimes? Knowing people personally, would they tend to maybe cross over because they knew you?

MILLER: Oh, yes, it was on such a personal basis as compared to today. The first year that [Philip

A.] Phil Burton came up to the legislature--and he was a student of all of the districts and how they voted--he came up to me one day and he says, "Allen, I want to know how in the hell in that district of yours you can continue to get this percentage of vote from the Republicans and hang on to your Democrats. You're not supposed to do that. The figures don't show that it can be done." I said, "Well, frankly, it's an area in which a person in the old days of politics knew the candidate personally--either through club affiliations or the YMCA, work, or this or that. It was an individual thing rather than a mass mailing thing." Let me tell you one thing that I did in the campaign up there that proved very, very effective.

VASQUEZ: Your first campaign?

MILLER: I think it was my first campaign. It might have been my second. But I was invited out every once in a while to speak to various clubs. Julian was an Optimist, I think. At one of these meetings, I looked at the Optimist Creed. Everything's affirmative and this is a hell of a good creed to live by. "I think I'd

like to communicate this to all my constituents. Can I get permission to mail this to forty-five thousand people in a letter?" "Why sure, we think that's good for Optimists." So I printed little cards of this creed and put them into my letter of communication. I said, "I've run across a wonderful concept or idea that the Optimists club--I don't happen to be a club member in the Optimists--but I think it's a wonderful thing to live by and I want to share it with you." And thereafter, I went around and saw them on cash registers, saw them all around my district.

VASQUEZ: And they identified it with you?

MILLER: They identified it with me. That's the kind of campaigning that I liked to do. It was the concept of "sharing." Not asking, but sharing. Somebody could capture the real ability to share in the campaigning through similar devices or similar approaches rather than "please give me your vote." It was very productive.

VASQUEZ: Inviting them to participate in the process with you, not for you?

MILLER: Yeah. That's right.

A Democrat in a Republican Period

VASQUEZ: Expand a little bit more on this. Here you were, a Democrat, in fact a liberal Democrat--I think you considered yourself a liberal Democrat at the time--not only surviving, but being relatively successful in a Republican-dominated assembly with a Republican speaker, a Republican governor.

MILLER: Yes.

VASQUEZ: How did you do that?

MILLER: Well, I always prided myself on that particular fact. And, of course, the environment was entirely different then.

VASQUEZ: How was it different?

MILLER: Well, I think it must have been the personality of the individuals up there. Republicans and Democrats were people or individuals, personalities rather than oriented to a party line. This may be good or bad, I don't know. And Julian had participated in the overthrow, through [James W.] Silliman, of the overthrow of the old [Charles W.] Charlie Lyon influence and [Sam L.] Collins and the rest. So, I came up there after

the Young Turks--supposedly the young people, Republicans and Democrats alike--had rebelled against the power of the lobby as such and the control of the speakership.

VASQUEZ: Were you one of the "Dirty Seventeen?"

MILLER: I don't know whether I was ever classified as that.

VASQUEZ: Some of them say you were.

MILLER: What?

VASQUEZ: [Thomas W.] Caldecott, for example, says you were a member of the Dirty Seventeen, a young group of reformers.

MILLER: Funny, I never heard. . . . "Wild Turks" I've heard, but the Dirty Seventeen, frankly I never have heard that expression. But I inherited Julian's association with anti-Collins, anti-Lyons, anti-lobby forces. I inherited Julian's goodwill and anti-influence philosophy.

[End Tape 1, Side B]

[Begin Tape 2, Side A]

Assembly Committee Assignments

And so, when I first came up there and saw the speaker, a Republican, Silliman, and he said, "So, well, Julian's buddy coming up here"--or

something to that effect, you know--"what committee have you got your eyes on?" And I said, "Oh, I don't know enough about this situation to have any particular committees in mind. I am interested, as a lawyer, in procedures. If there's any way that I could get on--for learning purposes as much as anything else--parliamentary things. The Rules Committee sounds pretty prestigious to me. If I can get on there, I think it would be a good learning process for me." Well, anyhow, I found myself on the Rules Committee.

VASQUEZ: As a freshman assemblyman you went right on to Rules, huh?

MILLER: I think so. I think it was the first year that I got on Rules. Of course, that was the time when they tried to keep balance. Well, they still do, I guess.

VASQUEZ: By region.

MILLER: I came in that capacity, being on Rules and listening and trying to learn. Arthur [A.] Ohnimus, who was then the clerk of the assembly, was a scholar and a student, and [an] educated man, and we related a great deal. We became close personal friends. He gave me a lot of ideas of

improvements in procedures in respect to interim committees that stimulated my thinking and ideas in the learning process of legislative procedures.

VASQUEZ: Was he a confidante or a guide in this process?

MILLER: He looked on me that way. We mutually admired each other. Eventually, then I fought for him when I got to be chairman of Rules, having him not only the clerk of the assembly, but amalgamated chief administrative officer of the assembly. I met opposition from the old-line employees, the woman that had been chairman [Laughter]--she really was the chairman--of Rules for years. What's her name? [Martha Brewer] Her husband was a police officer and she had run the Rules Committee pretty well. [She was] a great friend of [Augustus F.] Gus Hawkins and the old guys. Did favors for them and so on and so forth. I found myself in conflict with her quite a lot. She didn't like Arthur Ohnimus and she fought me every inch of the way. When I tried to put, get him in as chief administrative officer as well as clerk, I had some battles. [Laughter]

#### Opposing Interim Committees

VASQUEZ: At that time on the Rules Committee, what did you

see as some of the shortcomings of the procedure or the structure of committee work that you wanted to change, for example? Was that, in fact, a goal that you had?

MILLER: Well, the main thing was continuing interim committees during sessions. They kept them in primarily for perks and money. It just seemed ridiculous that we would have a regular committee system and then at the same time, we had these interim committees [having] hearings. That, in my opinion--and Arthur Ohnimus's opinion, too--wasn't too good. I proposed some fundamental, basic rule change that eliminated that. We accomplished it, I think, where we could start anew with regular committees and not the fiction of interim committee service.

VASQUEZ: You were against interim committees that carried over from one session to the next, including extraordinary sessions?

MILLER: Yes. My recollection is that it was inconsistent to have the legislature in session with regular, appointed committees and then have, at the same time, these carry-over interim committees, even though it meant power and money and prestige. But

it didn't make any sense. Now, that's my recollection of it. I'm pretty hazy on it, but that was one thing, I think, I fought for and I think I achieved. Gosh, I wish you had Arthur Ohnimus on tape. He would have added so much in this area.

VASQUEZ: That's why I want to pursue it, because we don't have much on the thinking of people who were wanting to reform the committee system at the time. I know there was a group of people that were interested in that. You were able to garnish some support and you were, I think, able to accomplish some things.

MILLER: It would be fun for me to get into the research of the resolutions in those days and really refresh my memory in respect to it. But I'm very hazy in that area now. But there was more personal relationship then. When [Luther H.] Abe Lincoln came in as speaker, I related to him more as a personality, as an individual and with admiration. He and [Francis S.] Lindsay and many of the other Republicans, really, I felt more of a community of interest with them than I did with, for instance, Gus Hawkins.

Lobbyist Influence in the Assembly

VASQUEZ: Why is that? What was Gus Hawkins's image at the time among his colleagues?

MILLER: Well, he was a fighter for all liberal causes and individuals, but he also accomplished his ends by-- in my opinion--taking substantial contributions from monied people, lobbyists that had an axe to grind. His philosophy was that, "If I can take this in order to accomplish my ultimate ends, so what's so wrong with it?"

VASQUEZ: A little pragmatism?

MILLER: That's right.

VASQUEZ: What particular political interests do you remember that he catered to?

MILLER: Well, golly, I'm quite sure that he voted when he could, without hurting his long-range views, for the oil interests, the Keck interests and some others. Horse [racing] and so on. I think he felt in order to accomplish his long-range, ultimate ends, that he could afford this. This didn't compromise him in his mind, at all, with respect to his accomplishments.

VASQUEZ: But he was never identified--or was he?-- identified publicly with people like Artie Samish?

MILLER: Well, no. Samish, I can't say. . . . Here I'm talking about a man that's a congressman and still alive.

VASQUEZ: Right.

MILLER: These are impressions and I don't have any facts to back them up. But we're talking in the realm of hearsay or feelings.

VASQUEZ: In your impressions at the time, that might have affected how you interacted with him?

MILLER: Impressions at the time. Yes, well.

VASQUEZ: You were not in any affinity group with him, obviously.

MILLER: No, no. Gus was on Rules one year, when I think I was chairman or otherwise. He had this long-time arrangement with a secretary that had been in Rules a long time. He would get things accomplished behind [the scenes], I never knew how it was done. And we're talking about little perks of furniture and these things that were important to him, and he didn't think he had to go through the chair or anyplace else to accomplish them. I mean, he had his own contacts to short-circuit certain things. Never to a point where I found myself in direct antagonism with Gus, because. . . .

I mean, if you take our bills and what we voted for and what we didn't, we were out of the same pattern of fighting for the liberals.

VASQUEZ: Yes, the pattern is consistent. Your voting pattern is pretty similar.

MILLER: Yes. But in these other little things that I'm quite sure he didn't feel they were a matter of integrity. And I can understand that. If I accomplish my ends, the big, broader ends, why this doesn't prejudice in any way my integrity. And I value a person that's long-range and broad enough to be able to do that. Maybe I couldn't accomplish it. The fact of the matter is [Laughter] I had some feelings in this respect against Jesse [Unruh] in accomplishment of his long-range viewpoints and ends.

VASQUEZ: Jesse Unruh?

MILLER: Yeah. And his method, how he accomplished [his goals]. To me, I couldn't have done it, wouldn't have done it, didn't want to do it. But I have a certain set of feelings or values or otherwise. I'm not saying they are any better than anybody else's, but we all have our own particular sense of integrity.

VASQUEZ: Taking that mode of operation, do you feel that it cost you politically to be that way?

Getting Appointed to the Bench

MILLER: Well, no. You see, I never was politically ambitious. I never saw this assembly job leading to something else. I went in to see [Edmund G.] Pat Brown [Sr.] shortly after he was elected governor. I went in to see him in San Francisco and let [him] know that my ambition was to be on the bench--because I felt my abilities tended that way rather than the elective office--he said, "Allen, I can't understand, the things that you have done in the legislature and the reputation you've established there, why you don't want to go on." He said, "I had in mind the next step for you, frankly, was the controller's job and then stepping on up." And I said, "Well, I appreciate that, Pat, but that's not for me. I don't like the concept of raising money and campaigning. I really am not an advocate at heart. I'm more of the temperament of wanting to look at both sides of something, and I belong on the bench." He said, "The trial court bench is a dime a dozen." And he said, "I just can't understand." I said,

"Well, maybe call it lack of political ambition."  
So I never had this drive to step up any further,  
frankly, except to be on the bench. And then I  
didn't want to be on the appellate court bench.  
Of course, the other Brown [Ralph M.] who was  
speaker, he wanted to be on the appellate court  
bench. So did Julian Beck, by the way.

VASQUEZ: Why was Julian Beck not appointed to the appellate  
court?

MILLER: Pat thought he was too. . . . Let's get off to the  
other thing, my conversation with Pat. I told  
him, "I don't want to be on the appellate court  
bench because I like to be dealing with people,  
not in the cloister reading briefs. I enjoy being  
with people and deciding their problems at a lower  
level than the strict technicalities of the law  
which you have to do when you're on the appellate  
court." I'd say I'm probably unusual that I  
didn't want to be on the appellate. I talked to  
some of my friends who were appellate court  
judges. And I asked them, "Frankly, what do you  
do? Give me your routine." And they'd tell me  
[about] this brief reading and this remote  
cloistered situation. That was not for me. So I

told Pat Brown I wanted to be on the trial court bench. Back to your question on Julian.

VASQUEZ: Who was on the municipal court.

MILLER: Julian came to me when Warren offered him a municipal court judgeship because of his leadership and bipartisanship in the legislature. It was quite a compliment to Julian that Warren appointed him to the bench. Julian came to me--we were partners at the time--and said, "What do you think, Allen?" I said, "Well, hell, it's what you want to do." I said, "Our partnership is a convenient situation. It's going great and we're making money, but if you want to be on the bench, why, go to it." Well, when Pat was elected governor, Pat came to me and said, "Listen, your partner, Julian Beck, I think I want for my executive. . . ." What do you call him?

VASQUEZ: Legislative secretary.

MILLER: Legislative secretary. He says, "He has such a wonderful reputation with the legislature, an unbiased person." And I said, "Well, I can't think, Pat, you could get anyone [with] better integrity." He said, "Well, he says if he gives up his municipal court judgeship, he wants a

commitment that when he goes back he goes [on] the appellate court." And I said, "Well, I don't think that's a very unreasonable request, you're asking him to sacrifice a judgeship now." And he said, "Well, not that I wouldn't want to give it to him if I found that on the superior court he did a good job. But I don't want to make a commitment ahead of time of going to put him on the appellate court."

God, I don't know whether Julian ever knew this or not, frankly. I talked to Julian afterwards, and I said, "I don't know. I don't think you're going to get that commitment out of Pat on the appellate court afterwards." Julian was more scholarly than I was in respect to judicial things, too. He was very scholarly and [good at] reading briefs and getting at the technicalities of things. He would have made an excellent appellate court judge, there's no question about that.

VASQUEZ: What do you think was Brown's hesitation?

MILLER: I just thought he felt it was a little too fast. Before he made the commitment ahead of time, he wanted [him] to prove himself. Things might come

out while he was his legislative secretary that were negative and he might not want to do it. It's a conservative approach, or slow approach. I don't think it was thinking that Julian wasn't equipped to be on the appellate court. He just didn't want to make that commitment. So at any event, that's how it happened that he didn't get his appellate court appointment.

VASQUEZ: Beck was the legislative secretary for less than a year.

MILLER: Yes.

VASQUEZ: Why was it such a short tenure?

MILLER: I haven't any idea. I haven't even a guess on that situation, whether Pat wanted somebody else. I suspect Julian was pressuring to get back on the bench. I think he preferred the bench rather than [politics]. He had nowhere to go politically in the end. He had no ambition for higher office, elective office. So why waste his time [when] "I'm not going to get any further?" And whether something happened that got [him] discouraged about the appellate bench, I don't know. Maybe something happened [that] discouraged him, that he would never get it. So he said,

"Hey, I want to go back to the trial court bench."

VASQUEZ: Now, you got appointed to the superior court by Governor [Edmund G.] Brown [Sr.]

MILLER: Uh-huh.

VASQUEZ: This is as a result of your meeting with him?

MILLER: Yeah. He told me that I was the first commitment he had made. That [at] the first opportunity, he would appoint me. And he said, "I agree to appoint you to the trial court bench, superior court bench." Incidentally, [Laughter] this might be an appropriate time. During the Olson administration, at the end of the Olson administration, I wanted to be on the bench then.

VASQUEZ: Since then, huh?

MILLER: Way back then. Everybody was scrambling to get on the bench. [Robert] Bob Clifton, [Susan] Susie Clifton's husband, was a tremendous Democratic worker for Olson, but she was the heart and soul of his campaign. But Susie camped on Olson's doorstep in the last days of his administration and got the governor to appoint Bob. That was the appointment I was hoping to get, the one that Bob Clifton got way back in '44 or '45.

VASQUEZ: What was the attraction of the bench for a thirty-

five-year old at the time?

MILLER: For me? You mean, my thinking?

VASQUEZ: Uh-huh. The security? The work as a judge?

MILLER: Well, I always considered myself somebody that liked to look at both sides of something. And it had prestige. As I say, I've never considered myself an advocate in the sense that I could pound the table. I was never any orator. The fighting for a position in which my heart and soul wasn't in it, wasn't me. But the idea of sitting in an adjudicatory capacity, where I weighed both sides of things and tried to come out with justice and right, was an appealing end in itself, as a way of earning a living.

Legislative Experience as Judicial Training

VASQUEZ: How much did the aspiration for that goal have to do with your running for the legislature? If it was an aspiration as early as the Olson period, it must have been on your mind.

MILLER: It must have been subconsciously there. This is the way you get to be a judge, is by appointment. It must have been subconscious, because it certainly wasn't conscious. The job was open, it was there and it was mine for the having, with

Julian's background and reputation that would brush off on me. So, it was more of "Well, the job's open and I have it and I can get it." I think that was more the thing than my thinking it necessarily led to the appointment.

VASQUEZ: How much do you think being in the state legislature, perhaps even as a result of being a member of the Rules Committee, prepared you for the bench?

MILLER: Well, it certainly gave me a broader experience. When you are on the bench interpreting the laws made by the legislature. You have gained knowledge and a concept of the procedures by which they are adopted. And the frailties [Laughter] of law, too. [Laughter] Laws that shouldn't be on the books that, for personal reasons, are adopted. It has to have an influence of some way on your thinking or your approach to law.

VASQUEZ: Did the process of lawmaking, perhaps, make the law less sacrosanct for you as a result?

MILLER: I think so. I think it has that tendency to. You know, some of the motivations behind the adoptions, some of these laws or otherwise undoubtedly affected me in looking at laws as I observed their

application. And there's a lot of variety--I mean variation--when a judge is supposed to comply with the law but whether it's strict compliance or whether it's in the spirit. That comes up before our supreme courts all of the time, the practical applications of the law.

VASQUEZ: Do you think that legislative background made you a better jurist?

MILLER: I think so. I think I benefited. On the bench, areas in which I wanted to be assigned were areas of criminal law rather than civil tort, adjudication or things of that nature. And human functions, like the psychiatric court and the juvenile court, things where my social concepts could be applied and I felt were useful for society.

VASQUEZ: Do you think the appointment process by which people become judges is the best way to do it?

MILLER: At the trial court level, I certainly think it's better than a straight elective situation. [Given] the way elections are determined today, with the mass media and the stuff that goes along with the monies, and so forth. What other alternatives [exist] besides straight election,

like any other office? There's certainly responsibility to the appointing power [with] respect to appointing people who are qualified and also [share] his basic philosophy, too. I mean, we're kidding ourselves.

You can talk all you want to about all of these other training and ramifications, but an appointing power, whether it be a conservative or liberal or whatever, is going to appoint a man he's in tune with philosophically. And I think it's the best system. Of course, impeachment is certainly not an effective way to eliminate, but now with the judicial review commission of performance--and I've seen it operate--men who get out of line [can be asked] maybe they would like to resign rather than endure [negative] publicity.

VASQUEZ: Did you ever serve on that commission?

MILLER: No, never did. But I've always had admiration for it. There was one judge that [Laughter]. . . . Oh, this is an interesting story. When Julian and I served in a little office in San Fernando in which one guy was justice of the peace and also police court judge . . .

VASQUEZ: Parks Stillwell?

MILLER: No. We got him in, but there was another judge whose name I've now forgotten. He has since died. But he was pretty inadequate, frankly, both in training and temperament. Julian took the lead in reorganization of the lower courts. Phil Gibson asked him to do this job when he was in the legislature. And he wanted to create a separate municipal district in San Fernando alone. I think he had it in mind himself. Finally, I think Phil Gibson talked him into saying, "Hey, now, really, it's not justified to carve that thing out there. You ought to belong to the municipal court." And Julian got some commitments out of Phil if he made it part of the Los Angeles Municipal Court, too.

One of them I think was two appointments. One of these was this judge that was inadequate but had these two jobs. At that time we were running Stillwell, you see. Stillwell was a part of the firm and we decided that Stillwell ought to have this job that this old justice of the peace, the police judge, had. So, anyhow, a deal was cut with this other commitment. Julian agreed to appoint this old duck to the L.A. Municipal Court. Then the other job that he had was for

Stillwell. They didn't even have to run, at all, because he had two spots to fill. This guy got on the bench and, my god, he came to court about half the time and he was really inadequate. And finally, some of us got in touch with the judge's qualification committee and showed them the facts of what was going on. So they visited this fellow and said, "Well, maybe you'd like to resign so we don't have to have an impeachment or anything." But he got the pension that went along with it. So everything worked out in fine shape. [Laughter]

VASQUEZ: Did this splash over on you and Beck?

MILLER: No.

VASQUEZ: It was kept pretty quiet?

MILLER: Yeah, it was kept quiet. There were no ramifications along that line. You see, I was ambitious to be on the bench too. And when we decided that Stillwell would run against this guy for the job, maybe I ought to take a whirl at it. My nose was out of joint a little bit. Stillwell wanted it so bad, but he was just new in the firm and we'd pushed him along. "Now, wait a minute." I thought, "My time's going to come. I'm in the legislature. Don't rush it at all."

Here we were, Miller, Beck, and Stillwell, all on the superior court bench. [Laughter]

VASQUEZ: How did that help or hinder the firm?

MILLER: Well, there was no firm of Miller, Beck, and Stillwell after I finally got on the bench. Well, anyhow, when there was only Miller left and Miller was going on the bench, I picked a young fellow out in the [San Fernando] Valley who eventually got on the bench, too.

VASQUEZ: Do you remember his name?

MILLER: Jones. [Philip F.] Phil Jones. He was mayor of San Fernando. And I picked him out. He was a USC graduate, and Order of Coif. So I asked him to come over and see me sometime and how he would like to come in. And I said, "Eventually, I'm hoping to go on the bench and it'll be your practice." He took hold and so Jones and [Donald G.] Tolleson [II] inherited Miller, Beck, and Stillwell after we all went on the bench.

VASQUEZ: How long were you on the bench?

MILLER: Sixteen years. I used six years of my legislative experience to tack on, so I had my twenty years without sacrificing any pension benefits. And so I took it as soon as having served sixteen years

on the bench and I wanted to do a lot of things that I didn't do while I was on the bench.

VASQUEZ: What year did you resign? 'Seventy-five?

MILLER: When my twenty years was up, which was '73, I think. I went in in '53. It was January of '73.

VASQUEZ: What did you do after you resigned--I mean, after you retired from the bench?

MILLER: Oh, I enjoyed life. No, I don't want to practice law, like some of them I know now.

VASQUEZ: You didn't become a consultant? You didn't become a lobbyist?

MILLER: No, the pension was adequate to take care of my minor needs. I had no ambition to go any further. I [have] enjoyed life and activities, many activities, both the church and my wife.

VASQUEZ: What kind of political activities did you remain active in?

MILLER: I got out of them.

VASQUEZ: Completely?

MILLER: Yeah.

VASQUEZ: You haven't participated in Democratic politics?

MILLER: No!

VASQUEZ: Campaigns?

MILLER: No! That didn't interest me at all. Oh, except

to send a little bit of a contribution, once in a while, to Jesse [Unruh] and say, "Put it where you feel it does the most good, Democratic-wise." I don't know, maybe he gave it to [Speaker] Willie [L.] Brown [Jr.]. I don't know what he did with it. I used to send him a check every once in a while, but no active participation.

VASQUEZ: When did you move out of the district?

MILLER: Within a year after I was appointed to the bench in '59, I then moved on to the Palos Verdes peninsula. I like the ocean and we lived there for several years and made friends. Gardening is my hobby and I had a lot of land under cultivation and landscaping. But no politics, no. No activity in politics.

VASQUEZ: I think this is a good place to stop for this session.

[End Tape 2, Side A]

IV. THE LEGISLATURE IN THE 1950s

[Session 2, September 10, 1987]

[Begin Tape 2, Side B]

The Quality of State Legislators

VASQUEZ: Judge Miller, could you tell me about the quality of the people serving in the state legislature when you were there, their level of competence and their political style?

MILLER: Well, it's very hard to do generally. There were some people in the legislature that I thought were very brilliant, dedicated statesmen with the public interest at heart. And then there were those that had been there a long time--I felt had their loyalties primarily with the lobbyists and the special interests, the Third House. Some of them were in-between, were very smart and weren't so beholden to the lobby interests. It's just very hard to generalize. I was extremely pleased or impressed, generally, with the dedication of the members of the legislature to a good job.

VASQUEZ: Could you give me some examples of both?

MILLER: Yes. We hesitate getting into criticism--or, at least I do--of those whom I might have some negative impressions of. The Republican leader-

ship when I first came up there were Abe Lincoln [who] was speaker and [Francis S.] Lindsay, who headed the [Committee on] Conservation Planning and Public Works. I immediately related to [Caspar W.] Cappie Weinberger because I had had the experience of campaigning against [William G.] Bonelli [Sr.] and what he stood for. And one of the things that Cap immediately latched onto up there was the corruption that he found in the liquor licensing situation. So I had a lot of background to give him and found myself on his committee. We did some radio publicity work on what he was doing, trying to change the licensing from the way that it had been before, and the corruption that went along with it. So these are the men I related to: Cappie Weinberger, Abe Lincoln, and Art Lindsay. Bruce [F.] Allen was a man of great integrity that I related to.

Then, there [Laughter] were some old-time fellows that had been there a long time. Like Lester [A.] McMillan, a fun guy. Voted liberal a good part of the time, but he was one of the old gang from the Samish days. One of them up there that I had a great deal of admiration for was

[Carley V. Porter] school teacher and reporter. He had been there for some period of time and he considered water his expertise. When I was chairman of the Rules Committee, I recognized his information and interest when water was a big deal up there in '57, '59. I pushed, in the senate, his getting chairmanship of the Joint Committee on Water Resources, which I think played some part in eventually getting the water plan resolved.

Carley Porter was an intelligent, quiet guy, but he had a little problem. God love him, he would drink a little too much and would play a little too much with the lobbyists, at least in my opinion. But who am I to say this? They were getting their jobs done and we all go about our jobs in a different way.

But by and large, I did have an ability to compare, generally, the character and the integrity of members of the assembly during the period I came up in the fifties, as against what I had seen before during the Olson administration when the lobbyists and Samish were running rampant in the running of the legislature. And it was a great, great improvement from what I had been

familiar with during Olson's administration in respect to the caliber of men and their dedication to the public service.

The California Democratic Council

VASQUEZ: Why do you think there was an improvement from the thirties to the fifties?

MILLER: Well, I suppose there could be many reasons for it. One thing that runs through my mind, and I haven't mentioned it heretofore in this area: I forget when CDC [California Democratic Council] started at Asilomar. I was there with [Alan] Cranston and some of those in the Democratic party who felt that we had a big role to play in making our party viable by [selecting] candidates and issues early in the game and pushing a more dedicated caliber of men into public office.

I was on several committees. One of them I recall, a "pothole committee." At local levels, we had to do something for the public and make them acknowledge that the Democrats were fixing the potholes in the streets. It was called the pothole committee. I named that and some of the members of the legislature . . .

VASQUEZ: I'm going to stop the tape for just a second.

[Interruption]

MILLER: . . . the CDC and its impact in respect to maybe changing the caliber of the legislature. It certainly was beneficial to the Democrats in the sense that it made them conscious of having to organize early in the game in selecting and putting forth candidates and not letting the Republicans capture them in cross-filing in the primaries. The Republicans elected man after man, because each was selected and [his campaign] planned, and all the [necessary] resources went in. And he knocked off the election in the primaries, with cross-filing. We had to organize some way in order to combat that approach. So, I think CDC was the answer, or at least starting of the answer [in] this change [of] feeling that we had to do something, not only in respect to the selection of candidates early but, also, supporting them.

As I mentioned before, county central committees and the formal organization of the Democratic party were just a joke. Now this happened before I was a member of the legislature. It was when I was campaigning for [Julian] Beck

[in] his first race against young Bonelli that I became reinterested in party politics after I had been with the Olson administration. I became familiar with [Thomas C.] Tom Carrell, who was a Democrat and made a little bit of money. And then at Asilomar I came away with a close relationship to Alan Cranston and a great admiration for him and what he stood for. And it still continues, even to today. But I think that had a big part in changing the caliber of the legislature.

Professional versus Amateur Lawmakers

VASQUEZ: Do you think that going from amateur lawmaker to professional legislator was good or bad?

MILLER: I've been very ambivalent about picking up sides on that, particularly. I think now, as I look back with the benefit of hindsight, I feel very strongly now that the so-called amateur politician, rather than the full-time politician, was better for the public. Particularly in view of what a tremendous part money plays, in election and reelection today.

At one time, when you belonged to the party-- like in the English system--it stood for some broad, general principles. But that doesn't exist

anymore, I don't think, in California, or the state, or anywhere else. It's an individual operation. Each man for his own, and how much money can he raise, and whom does he have to cater to [in order] to raise the money. I've been a long-time member of Common Cause and contribute to them. I think the way the system operates now it's just legal bribery that's going on. And despite all the protestations of men--some men whose policies, long-range, I relate to as liberals--I think it's a scandal, an absolute scandal. And you can't tell me that despite the [Laughter] admonitions of good Jesse [Unruh], "If you can't take their money, screw their women, drink their booze, and vote against them, you don't belong up here."

VASQUEZ: Was this Jesse Unruh's line?

MILLER: That's nice talk. But, as a matter of fact, you can't, you can't do that. You've got to be influenced. If your political life depends upon raising money and lobbyists contribute to it, that's the main thing in life. Reelection is number one. And outside of breaking the law and being prosecuted for it, anything goes for

reelection. I've seen so many men come up there with integrity. Finally, after a short period of time, with these pressures of "I have to be reelected"; "I have to get the money to do it"; and, "I've organized a hundred dollar a plate dinner," "a thousand dollar a plate dinner"; and "I've got to twist arms in order to get contributions". . . . Well, believe me, they are not doing that just for love, [or] because you're a fine man of integrity. They're doing it for votes. And with all due respect to Jesse and to the leadership now, Democratic leaders and all of that, it's a vice. It's corruption.

VASQUEZ: On the other hand, California has become the most populous state in the union, perhaps, in political culture, perhaps the most important state in the union. The economy has become, as the society also, much more complex. It almost requires someone to devote full-time to doing legislating. How do you get around that?

MILLER: Well, [Laughter] this was helped considerably, but I don't know whether it's an answer. In the pressures that Jesse brought [to bear] for staff, professional staff which helped considerably in

this area. That has its vices, too, staff running policy matters rather than the man who was elected [to that] responsibility.

In thinking about this, the only answer that I can see to this, very frankly, is the restructuring of the political parties to a point where the parties themselves, have programs that the public can associate with and say, "When I vote Democrat, I'm voting for this philosophy, this theory" that isn't related to the dollar particularly. If I was writing the system again, I would write in very strong political parties with the ability to discipline its members. Something like the English system, frankly, the parliamentary system in that respect.

VASQUEZ: But it's said that Californians have never really cared about party labels so much as they have about individual politicians' appeals.

MILLER: Yes. And it had its good points, very frankly. Of course, [Laughter] we go back to the history of the party during [Governor] Hiram Johnson's day and what happened there. The abuses that happened in that situation where the party was captured by people with selfish interests rather than the

public interest at heart. So it has two sides to it. But you ask me for an alternative to what I consider legalized bribery today. Which is just what it is, in raising campaign contributions. It's legal bribery. And to have campaign managers more important than people who think about ideals and public benefit and public weal, and who make millions of dollars in campaign gimmicks and [know] how to . . .

VASQUEZ: Create an image?

MILLER: Create an image. It is really repulsive to me. Okay, I'm shooting off at the mouth on that one.

Patronage in California Politics

VASQUEZ: In California politics, the executive, as well as leaders within the legislative branch, have relatively little patronage at their disposal. Some argue that, in fact, patronage might be useful as leverage for a strong leader that may not have the numbers in his favor. Do you think that's good or bad?

MILLER: Well, patronage can be of several kinds. Patronage in which you give a man a job where he gets his whole livelihood. Then he has loyalty for that and will do anything, right or wrong, in

order to express that loyalty. There's another type of patronage, too, and that's honorariums on commissions, and things of this kind, where his whole livelihood doesn't come from this. But it's honorary and you're paying tribute to his ability to contribute to ideas in the administration. There can be all kinds of patronage, good patronage and bad patronage, as you well know. What we're striving to have, [is] men who are really dedicating their lives to the public good and using their talents in order to enact laws that are generally, in a broad stroke, for the benefit of the whole rather than laws that benefit a few capitalists or solely related to making money and a dollar.

We've become so dollar-oriented. Everything we do--not only the legislature, but everywhere else--we're so danged dollar-oriented that it makes me wonder whether we'll ever have a situation where there can be those dedicated people in government, whether executive or legislative or judicial, that can change this trend. Maybe we have to go through a deep, economic depression and start all over again in respect to values. Maybe

[Laughter] what we're seeing now in this phenomenon of raising money and being elected by money, is just a general public trend that applies to everything that we're doing today in our relationship to the dollar rather than the general public good.

Women and Minorities in the California Legislature

- VASQUEZ: You said something that is a very accurate reflection. "We want good men in these positions." There are very few women in the California legislature.
- MILLER: Oh, yes.
- VASQUEZ: What's your assessment of that? What do you think we're going to gain as we get more women?
- MILLER: I think the women bring a quality of understanding, of sympathy, of empathy. This is my impression, they tend to bring more of that in than the male who, historically, has been the breadwinner. So I think it's a very, very good trend, frankly, on the whole. Although some women [Laughter] will get selfish and dollar-oriented, too. There's no question about that. And they maybe go off the deep end on equal rights, to an extreme on the other side.

There were two women, particularly, in the legislature when I was up there. Dorothy [M.] Donahoe, who was a teacher out of Bakersfield and was a really dedicated legislator, in my opinion, in her field of education. And then there was the other [Pauline L. Davis], different type all together, whose husband came up from Quincy. Her husband was a railroad man and when he died, she took over the seat and she became quite a dynamic gal up there. She got a lot of things done in the way women can do around the scene. You know, maybe crying a little bit about this. Whining, "Why don't I get my share?" She got things done as a result of this. At least when I was chairman of the Rules Committee, she cried on my shoulder enough to eliminate the post office in the back of the assembly and make it into a rest room for her. I let her pick the beautiful furniture and a place where the girls could go off the floor easy [Laughter] to the restroom.

VASQUEZ: By extension of the same thought, there were very few blacks, very few Mexicans, very few Asians in the assembly. And there still are. Yet, the

population in the state has changed dramatically for those three groups. What do you think will eventually come about as a result of that?

MILLER: Well, I can't see anything except the increase of their numbers because of the number of voters. Particularly the Asian people are becoming very sophisticated, in my opinion, politically sophisticated. Searching to get ahead by education and otherwise. And in the next ten, fifteen, twenty years, I think we're going to find progress.

Hispanics, with all due respect to your background--I've found, at least in the San Fernando area where I came from--were very laid-back people and, as a rule, didn't have the drive or the push. I admired them [Laughter] because they were laid-back. They weren't extremists like some of us Anglos.

Frankly, in the Asian community here, which is growing tremendously, I think we're going to see inroads in the legislative process for them. I don't know how much inroads the Hispanic community is going to have. You have some pushers, movers, well, my golly, there's quite a

few Hispanics who are in leadership positions now in both the senate and the assembly. Frankly I think that's good, because it counteracts in my opinion the white, male, Protestant money chaser that sought these jobs for power and otherwise. I think it's going to be good.

VASQUEZ: How about blacks? There's a black speaker of the assembly, and yet blacks complain that they don't have any more power, relatively speaking, than they did decades ago.

Leadership in the Assembly

MILLER: [Laughter] They've sort of become integrated in the sense of integration of leaderships, like when you have an exceptional man like [Speaker] Willie [L.] Brown [Jr.] with his abilities and his drive and his ambitions. [Laughter] He's not a favorite of mine. He's concentrated power. I think it's concentrated power primarily for individual power, selfish power. I don't think his power is accumulated or used for the benefit of the whole. And, very frankly, [that] is one of my criticisms of Jesse [Unruh], that his power was very personal to him.

VASQUEZ: That takes us to another point--and I want to get

back to Jesse Unruh--and that was the leadership of the assembly that you got to experience and that you observed over the years. You were saying last time we met that you came in at the tail end of the Silliman takeover bid from the Collins forces. Perhaps using that as a background, you could make some observations on the capacities, political styles, and capabilities of people like Silliman, Lincoln, and Brown--and then Jesse Unruh--as people capable of giving leadership to such a body. First of all, how would you define good leadership?

MILLER: How would I define leadership?

VASQUEZ: Good leadership in a body like the assembly. And how would these people stack up?

MILLER: Well, good leadership would be a person that is able to persuade other people to a policy or to legislation by the power of argument and persuasion and the merits of the matter and has that ability to influence people. We're talking now about a nice personality who goes out of his way to do things for people, understand them, try to have empathy with them, communicate with them, and then go to them and say, "Listen, have you looked

at this piece of legislation and what it will do for the public as a whole? I'm strong on it, I would love to have your support." As against the leader that says, "Listen here now. If you want to remain on that committee, or if you want to play this, I'm vitally interested in this piece of legislation and I want your vote. And if I don't have your vote, consequences will come." I don't like that. That's Jesse Unruh. I would have never survived, frankly, Jesse Unruh's leadership. I wouldn't have saluted. I would have been on the opposition in many, many cases, and told him to go to hell, like a few fellows did and got punished as a result of it.

Maybe this is idealism. But, hell, I didn't have to belong to the assembly. The world wouldn't come to an end with me if I wasn't reelected to the assembly. I had faith in myself. Both making a living, relating to people and doing things that I considered worthwhile and beneficial to the public as a whole. So my whole life wasn't centered around that, unlike a great majority of members of the legislature, who lived or died to remain [in office]. It's a different philosophy

entirely. I don't know whether it's best for getting things done. Punish your enemies and reward your friends is, I suppose, an innate thing in all politics, but it just was not my style and I don't admire it.

The Speakership

VASQUEZ: Of the four speakers--Silliman, Lincoln, Brown and Unruh--how would you assess each one of them?

MILLER: Well, I wasn't with Silliman long enough to evaluate. And in what sense do you evaluate? Accomplishments? To what end, accomplishments? As far as raising the stature of the legislature, in the public mind and its ability to do its job, I think probably Jesse demonstrated, in this particular area, more leadership than any of the rest that you have named. Even though I didn't particularly admire it, I have to say that. Even Willie Brown with his gathering [of] money and dishing it out so he could hold his majority, that's power leadership. But it isn't the kind of leadership that I particularly admire or relate to, very frankly. [Laughter] I'm too much of an idealist, I guess.

VASQUEZ: What is it you admired in Luther Lincoln?

MILLER: Oh, his affability, his understanding when you went with him. He never interfered one iota when I was chairman of the Rules Committee under his administration. He didn't say, "I would like this or would not like this." I kind of felt what he would be for or against. And he would intimate maybe a little bit, "Well, in this area, what do you think?" Of course, the Rules Committee at that time wasn't what it is now. Well, really, it was a housekeeping situation. Perks for the members. Who gets the nicest room and who gets this extra secretary. It was powerful in the sense that you could give special perks to special people. You had a better chance of getting your legislation through [if] you made friends by disbursing these perks of housekeeping situations.

VASQUEZ: That's a system of reward and punishment.

MILLER: Yes, it is. I guess maybe it's the manner that you do it, I suppose, would be my distinction between it. I don't think I would consciously say, "Well, I'm not going to give that guy this because he voted against one of my favorite bills." I don't think I would do that. Personalities would come in. I may like the guy

or like his operation. If he's a tool of special interests, I ain't gonna give him nothin'.

There's a couple of men still up there that I feel are definitely tools of the special interests.

One of them came in while I was chairman of the Rules Committee.

VASQUEZ: Do you care to mention their names?

MILLER: No, I don't want to mention his name because he's still up there.

Jesse Unruh's Contributions

VASQUEZ: Maybe it's because he's closer to us [in time] and just passed away, but Jesse Unruh, I think, warrants a comment or two from you in terms of what you think he accomplished. What did he give California's legislature?

MILLER: Well, I think the legislature is very indebted to him. My god, I would never have accomplished the ultimate success of the tidelands oil legislation if it hadn't been for Jesse Unruh. If there's something I have pride in, coming out of the legislature and legislation, it would be that tidelands oil bill. I would never have gotten it through the senate without Jesse. How did he do it? He did it because he played the lobbyist

game. He wined and dined with them, jollied with them, played with them, became friends with them. He's the one that said, "Let me take care of the senate now on this bill. I know what's going on there between George Miller [Jr.], Democrat. . . . [Albert J.] Shults was from his district, and Shults was the lobbyist for the major oil companies. And so Miller was going with the major oil companies because they were in his district. I'm not saying that he was receiving payoffs, or anything like that. But here all of these big, major oil companies are in his district. [In a] representative form of government, he owed them something because they were constituents of his.

VASQUEZ: What about somebody like [Assemblyman Joseph C.] Joe Shell?

MILLER: Well, Joe is in a different, entirely different category. [Senator Hugh M.] Hughie Burns I'm talking about. He was a real consummate politician. He had some interests in mortuary businesses or something in Fresno, and Jesse knew where all these dead bodies were buried. He knew who wanted what and what would appeal to him. He

was smart and clever in respect to knowing the wishes and desires of certain people in the legislature and how to accomplish horse-trading or whatever you want to call it.

I never learned that lesson. Maybe it's because my personality is different than Jesse's. I admired his accomplishments and he accomplished so much for the legislature in the sense of the good things that came out of there. We were both fighting liberals. We both had the same political philosophies. For the underdog. I guess it was a means of accomplishment. I can't do anything but admire Jesse and his accomplishments in the legislature. I guess I was a little critical of the methods [by which] he accomplished [Laughter] some of these things that I couldn't go along with all the time. Now does that pretty well give you my feelings in respect to Jesse?

I don't know what the legislature would be without a man of Jesse's caliber and sense of power. And certainly he was very, very good in his PR at attracting attention. He also had the reputation among the lobbyists, when Jesse said, "I'll do this," or "I'll do that," he would never

backtrack on anything, even though it was wrong, [once] he made the commitment. You can't get along in the legislature, with anybody, if [you have] the reputation of saying one thing and not living up to it. You're dead. I have a great admiration for Jesse in his accomplishments, not only for the benefit of the legislature, but the many things that he did for society, as a whole, and the protection of the underdog and the little guy that didn't have the power. He used his power primarily [to] help the little guy that didn't have a chance in the marketplace. I have tremendous admiration and love for the man.

VASQUEZ: The CDC also claimed to be for the underdog. And, in fact, weren't they the left--if you want to call it the left--wing of the Democrats? And they were dead set against Unruh.

MILLER: They got in the way of Jesse's thirst for power, individual power. I mean, he had his schedule all outlined, "How I'm going to achieve these ends for the underdog and for the underprivileged," and so forth. "But my philosophy is that if the only way you can do this is by arm-twisting and power and throwing your weight around and accumulating power

in order to accomplish this, the CDC just gets in my way." And so he fought [them]. In my elections, I don't think I'd ever have been reelected if I hadn't relied very highly on these dedicated Jewish people. Tom Carrell would have had no chance of getting money or anything else if these dedicated CDC, mostly Jewish idealists, hadn't got out and worked my precincts for me.

San Fernando Politics

VASQUEZ: Well, since you mention Tom Carrell, I wanted to ask you, what was the source of his influence in San Fernando? He seemed to be rather influential in San Fernando politics. He wasn't that wealthy, was he? He was an automobile dealer.

MILLER: He's an easygoing Texan, Tom is, that loved people. Originally, I didn't think he would anymore run for political office than the man in the moon. He liked to be the guy behind the scenes, both at the national level. . . . He was a [Senator Estes] Kefauver man and represented the Kefauver campaign out here. And he had many friends. He was the treasurer of the Democratic party at one time. But he was an easygoing guy that didn't put too much money in my campaign. My

first campaign, I think I financed practically all myself, five or six thousand dollars, inheriting the good will of Julian Beck. I didn't have any professional campaign managers or anything like that. It was a matter of getting around as much as you could in the district, shaking hands, knocking on doors, and the coffee klatches and things of this kind. This was campaigning at that time. Imagine!

VASQUEZ: This is in the fifties. That still worked?

MILLER: Oh, yeah, it still worked in the fifties. At least it worked in my district, and for me. Going to the fairs and, then, where I would go to a meeting. "What's your problem in the chicken industry up in Antelope Valley? What do you feel could help in any way? What can I do to help you in legislation?" And letting [it] be known, whether you could or you couldn't, with the idea that you were offering to help them without asking for the vote in return, just expecting it.

Then in the urban areas, in Chatsworth and Northridge and around there, of course they varied a little bit. There's some enclaves of wealthy people, mostly Republicans. But I found that in

my social acquaintances I was running around with monied Republicans. And so I got many of those to go on my committee, Republicans for Allen Miller. They were very influential, liked people. So this was easy to knock over in the primaries.

VASQUEZ: Was Carrell instrumental in introducing you to those kinds of people?

MILLER: No, very frankly, he didn't. I was part of the community and we had our social groups. The leading Republican in town was a Mr. Republican in San Fernando and the west Valley, Leo Flynn. We played poker once or twice a month with a group. And so we'd kid each other about our extremes in our political [matters]. Flynn was so party oriented that he wouldn't come on my committee, and he was very resentful of that. [Laughter] Quite a few of influential people wanted to see Allen Miller as an individual, even though he was a Democrat in the legislature.

Tom Carrell's Influence

VASQUEZ: So Tom Carrell's influence in San Fernando rested on his affability?

MILLER: Yes. And he was active. Whenever there was a drive for anything, [the] YMCA or anything. His

wife was a schoolteacher and very well loved, Dolly was. Of course, then he influenced the whole Valley because he was in partnership with another [automobile] agency over in North Hollywood, with a Republican. Then he also had his finger in Los Angeles politics, partly through his partner, the Cadillac dealer in North Hollywood, whose name now escapes me.

[End Tape 2, Side B]

[Begin Tape 3, Side A]

V. SIX YEARS IN THE ASSEMBLY, 1953-1959

Campaign Contributions and Political Influence

MILLER: Tom was a lovable, affable person and interested, in one sense, in the power and prestige. I don't think it was because he sold more cars, but because he was just a basic Democrat from the South, years and years ago, and he loved the idea of talking to national figures and being instrumental in the national party. Here was a local guy that loved to go to the Kiwanis Club and have his little province of respect. I haven't any idea what he contributed [in] dollars to my campaign. I inherited him from Beck so, just

automatically, he was my campaign manager and told me what I needed, what he needed. And how much he put in, I hadn't any idea. I don't know. I think I paid for most of my first campaign. And then afterwards, I got a little money.

Incidentally, talking about campaign contributions, I was so naive when I first ran about this idea of accepting campaign contributions from lobbyists or those that might want return in favors for their contribution. I was very touchy about this. During my first campaign, I had a fraternity friend at USC law school that represented the funeral industry and cemetery industry, Ray Brennan. When I ran, Ray called me and said, "Allen, how are you doing for money? Congratulations on your running for the legislature. I'd like to make a small contribution to you." And I said, "Ray, I'd appreciate that very much." He said, "And I may be able to help you get a little bit more money from my friends who represent certain interests up there." I said, "Well, I appreciate that very much."

I belonged to the University Club downtown and went there once a week to eat and exercise.

And Ray was a member of that club, too. But, finally, he called me one day and he said, "I want you to meet a friend of mine who is very interested in your campaign. He admires you as an individual and he would like to make a contribution." I said, "Who's that?" "Well, that's Mr. [Harold C.] Morton." And I said, "Well, I've heard of him and who he represents. I don't know I would particularly like to have a contribution from him." Because when I was talking to Julian and others, [I learned that] the Keck interests in the assembly and the interests of Morton [were] offsetting the major [oil companies'] interest in the senate. The major oil companies owned the senate. And he was making inroads for Keck and the so-called independents in influencing the senate. The scuttlebutt was around that a lot of the guys in the assembly were on the take from Morton and the Keck interests. And so I told Ray, I said, "No, I don't think I'm particularly interested in that sort." He says, "Well, he wants to meet you, anyway." I said, "Well, I'm available anytime to many and I'd love to have him. Let's make an arrangement through our

secretaries and he would be my guest at the University Club for lunch. If he wants to meet me, I'd be happy to buy lunch." And he said, "I don't think Mr. Morton wants to work that way." And I said, "Well, what way does he want to work?" "Oh, he wants you to come up to his office. It's right across the street from the University Club and why don't you call him and go over to his office and meet him?" "Nah, if he wants to meet me, let him do it another way." That went on for weeks or months.

Finally, I met Ray on the street, across from Morton's office. And he said, "Listen, Allen, now's the time. I'm going to take you across the street and introduce you to Mr. Morton." I said, "Well, okay. I haven't anything else to do. Let's go now. I'll go over there with you." So I was introduced to Mr. Morton. And as soon as I was introduced to him, he said, "Come on in. I'd like to talk to you." And Ray said, "Well, I've got some things I want to do." So Ray got lost and I went in with Mr. Morton. And Mr. Morton [told] me, "We need men of your caliber in the legislature. We need men of your integrity. And

I've heard a lot about you. I've followed your career." Blah, blah, blah, blah, blah, blah, blah, blah. And he said, "I want to help you." And I said, "Well, I appreciate your help, but I want to let you know, number one, I report all of my campaign contributions."

In the meantime, he was fumbling in his drawer with hundred dollar bills. And finally, he came up and gave me a package. I didn't count them then. It turned out, I think, there were either five or ten hundred dollar bills. And he said, "I want to contribute to the campaign." And I said, "Well, now, Mr. Morton, let's understand something. I'm new to this game and I'm going to be very strict about reporting. If you don't mind me reporting this. . . ." He said, "Well, do you have to do that?" I said, "Yes, the law requires it." He says, "Well, most of the fellows just don't want to do that." And I said, "Well, I do. With the understanding that I'm going to report this contribution, cash contribution, why, I'll take it. Thank you, very much." Then we had the usual conversation. "Well, I'm not buying anything for this, at all. I mean, I'm not trying

to influence your vote in any way." Blah, blah, blah, blah, blah. All of this stuff. And that's the only contribution I got from him, and I reported it in due course.

A bill came up the first time I was in session. It had to do with the conservation of old oil wells. I spotted it when it got out of committee; I read it and reread it, how it would act to the state's detriment, the independent oil people in depletion or something of this kind. I forget the details of it. So when it got out of committee, I alerted a couple of my friends to this thing. I said, "Hey, this is a joker. It's not in the best interest of the state. I'm going to take it on, on the floor." And so the rumor got out that I was going to take this bill on, on the floor.

In the meantime, just as it was about ready on the calendar to come up, [Assembly Sergeant at Arms] Tony Beard came to me and he said, "Say, Mr. Morton is out in the back of the chamber. He'd like to see you." And I said, "Well, will you tell him, please Tony, that I've got an important bill coming up here, I think, in two or three

minutes. I can't leave the floor now. And after the bill's over, why after I get through, if he'd wait around, I'd be happy to talk to him."

Well, [Laughter] he waited around and the word got out that he didn't want this bill debated on the floor. And so my recollection is it was pulled off calendar. And so then, after it was off calendar, I didn't have to take it on, why I went back to see Morton. And I never saw a man so livid in the face. And what he called me.

"Double-crossing, double-dealing. I thought we were friends." And blah, blah, blah, blah, blah, blah. So you can't tell me that contributions to campaigns don't expect quid pro quos. And this was my first personal experience with this kind of situation.

VASQUEZ: That's an interesting story. What moved Tom Carrell to run for office?

MILLER: Oh, I guess he saw the acclaim that both Julian and I got in the achievement of our ends. I never thought he would ever run, but I think he said, "Well, now, listen. I've done the peripheral, the background, and here's a seat just manufactured for me. I know all the people in it, so why don't

I take a run at it?" Just like I did after Julian got out. He had a foundation all laid [out], name identification throughout the whole district, so it was a cinch for Tom to walk in there. And, I guess, he thought he wanted more recognition than being on the peripheral.

VASQUEZ: It got to him?

MILLER: It got to him. [Laughter]

Relations Between the Assembly and the Senate

VASQUEZ: When you were in the assembly, what was the relationship between the senate and the assembly at the time?

MILLER: Oh, some areas cooperative, and some antagonistic. Of course, the situation was that it was easier to kill a bill in the senate. Those who wanted to kill bills that were not in their special interest, wouldn't pay much attention to the assembly either in campaign contributions or by lobbying or anything else. They'd go over to the senate. "We've got friends in the senate. We'll kill it over there." And this was common knowledge. As far as our individual relationships with senators, there'd be some who were the same make as we over there. We related to [James A.] Cobey

and some of the "Young Turks" in the senate over there. When they had reapportionment, they came in and changed the nature of the senate very materially, too. But, by and large, we got along pretty well together.

#### Establishing an Assembly Intern Program

This might be interesting in this respect. I told you that I had some pride when I was chairman of Rules, commencing the internship procedures. And the academics came to me--I think it was in '57--and said, "Say, listen, at USC, UCLA and Stanford, we have a committee and we would like very much to have some of our graduates in law, journalism, and political science be candidates to be interns." Like the Coro Foundation was, which I had participated in a long time ago. "What do you think of it, and could you pick up half of the costs? Let's say \$600 a month and your share would be \$300. What do you think of the idea?" And I said, "I think that's a tremendous idea. It would be wonderful for the training of these people and they can contribute something in the intellectual, scholarly field, to us, too. And so, I'm for it."

So, they said, "Well, we would like to have this be a joint senate/assembly operation, if we could." And I said, "Well, I'm sold on it." And then I talked to Abe Lincoln. Or maybe it was [Speaker Ralph M.] Brown by that time. I don't know. Anyhow, everybody, on our side, thought it was a pretty good idea. So I went over and talked to George Miller [in the senate] about it. I said, "George, here's a source of brains that can add to our stature and to our findings," and so on. "Allen," he said, "oh, your naivete just astounds me. You buy that? You know what? These kids will be coming up here, will be running against you just as soon as they learn where all the dead bodies are buried. They'll learn about this. You're just asking for some candidate kid to run against you, that's smart." He said, "I don't want any part of it!" I said, "Oh, that's a narrow way to look at it. My god, if you can't stand a young, naive person out of school, with all of your practical experience how to campaign and how to run your office, and you're afraid of them, I mean, that astounds me that you're so chicken that you won't even take a whirl at it."

So, then I went back to the assembly and said, "Hey, the senate's not going to participate and they think I'm crazy."

I started going around the state with this committee and seeing the caliber of men and women that they had selected from these various places. And I was very impressed with the type of men they had. I think there were six or seven, and in that first class, was the guy that ended up clerk of the assembly, yeah. What's his name? I've forgotten it already. Very dedicated guy. And after Ohminus left, this fellow was. . . . Had been the clerk for the last twenty years.

VASQUEZ: [James D.] Jim Driscoll.

MILLER: Yeah. Jim Driscoll. Well, anyhow, I had this group of six or seven, and a couple of women in it too, incidentally. I had them out three or four times for barbecues at my house and got to know them, personally and individually. I'd see what committees or areas they were interested in, and then I'd call the committee chairman and say, "Hey, listen. I've got a young guy intern that is interested in your field, would you like to take him on? It'll cost you but I won't take it from

your allowance. This will be a general expense rather than out of your committee's expense." And they were received with open arms. I think I went through one or two groups before I got out of the assembly.

VASQUEZ: Was Miller's attitude representative of how the senate reacted to new things, or to outsiders?

MILLER: I don't know whether it was typical or not. It's just one example. They started having experts. But they wanted the patronage of assistants, that they had control of or wouldn't be going out loyal to their college, or loyal to some other interest. This was their theory [of] patronage they had over there, with these research assistants and these other type of people. They didn't get any patronage concept with the training kids, it wasn't part of that concept. So I wouldn't say whether it was the general attitude or not. But they never did go for the intern program, as I recall. Never did. They wanted their own hired help.

VASQUEZ: I guess what I was trying to get at was whether there was a more clubbish atmosphere in the senate than there was in the assembly?

MILLER: I think so. No question about it.

VASQUEZ: You had very powerful individuals in that body.

MILLER: Oh, yes. And, of course, they would go to Posey's [Restaurant]. And what did they have? The Friday Morning Club, all of these special senate groups that were very close to lobbyists, personally and otherwise. I mean, they were much more clubby.

Outside of a few individuals that I related to personally, I felt my job was done pretty well when I persuaded the assembly to buy my bill. I explained it. And my theory was that I didn't have to twist any arms in the senate. If they thought the bill was good, that was fine. If they didn't think it was so good, well, they'd kill it. And so this was my theory, my philosophy. I didn't go after the senate. This is why I say on this tidelands oil [bill] because I didn't have any personal, individual contacts over there, Jesse developed it. He was smart enough early to know if you're going to want bills on the governor's desk and signed, you've got to see them all the way through. You've got to take steps and plan and scratch backs and everything else in order to accomplish the ultimate end. This was

his theory and philosophy. So he spent as much time on the senate side partying with the members and the lobbyists as he did on the assembly side. Different approaches.

Los Angeles County's Lone Senator

VASQUEZ: Continuing on this question of the senate, how detrimental to Los Angeles County's interest was it to have only one senator for so long?

MILLER: Oh, I think it was very detrimental. There's no question about it. The volume of business, volume of interests, and [to] have one man try to handle it, to me, was very detrimental.

VASQUEZ: Why do you suppose then, a senator representing that area, like [Senator Thomas M.] Tom Rees, would have been against one man, one vote?

MILLER: [Laughter] Anything that Tom would say or do I could never explain, very frankly. I'd even forgotten Tom Rees was the lone senator. Bob Kenny, in the early Olson days, was the one senator. And then . . .

VASQUEZ: Jack Tenney and . . .

MILLER: Jack Tenney.

VASQUEZ: . . . Richard Richards.

MILLER: Richard Richards and I were close. We stood for

the same things. But how in the world they could process all of the things that needed to be processed was always strange to me, how it could possibly be [done]. It was a great detriment.

VASQUEZ: You were going to say something about Tom Reese, though.

MILLER: Well, [Laughter] Tom came in with idealism. I was chairman of the Rules Committee when Tom came in and we were having space problems. I stuck him up in the attic because he was a new guy.

VASQUEZ: When he was assemblyman?

MILLER: Assemblyman. When he first came into the assembly. He was on our team and he was an aggressive guy. But, oh god, he screamed and yelled. And, I said, "Listen, Tom. For god's sake, you're a freshman here and you're at the bottom of the line. Now, just be patient, we'll get you better quarters."  
[Interruption]

I always got along with Tom. He was an affable sort of guy. [As for the] liberal programs that went through him, he was always on the right side of the legislation. He had this outside business as a foreign importer. And that meant a lot to him, too, when he was here. It wasn't a full-time

job at the time with Tom. He had these other interests. I liked Tom. He was an interesting guy.

VASQUEZ: But why do you think he was opposed to one man, one vote, when he, if anybody, the person in that one-senator spot, must have known that Los Angeles was so big and its interests so diverse, that it needed more representation?

MILLER: Well, undoubtedly, that has to be his reasoning on it. You know, I'd even forgotten it was after I got out of the legislature, I'd forgotten that he had run and got that L.A. senate seat.

On Holding State and National Office

VASQUEZ: He wasn't there long. He went on to the congress.

MILLER: Yeah, that's what I associate, his going to congress next. Oh, god, there's another story of all of my friends in the assembly that went on to congress and fell on their face. [John J. McFall] Mack out of Stockton, who was on the Rules Committee, and he really talked me into getting on the Rules Committee. He was from the Stockton area. And we became very close friends. He was a friend of Julian's. Then he wanted to go to congress. And then this Korean rice deal killed

him, got his nose caught up in that one.

VASQUEZ: Why do you think state legislators that go to congress--in the case of people you knew--why do you think they fell on their face?

MILLER: Well, it's a bigger pond, more prestigious, I would think. It's a natural stepping stone. As far as I was concerned, it wasn't. Because I had the offer to run for congress, in the congressional district in which my assembly district was a part. I had great pressures to run for congress. And, in fact, I went back and surveyed the operation and whether I would be happy there as a little fish in a big pond, as against a bigger fish in a smaller pond out here. And I said, "No. That's not for me."

VASQUEZ: Why?

MILLER: I had my little ranch on the hill in San Fernando I loved. I just didn't have the push or the pressure to be in that environment.

VASQUEZ: Do you think being a congressman takes a little more of that pragmatic, back scratching, wheeling and dealing than state office?

MILLER: Well, I think it takes as much. I don't know [if] more or less. [James C.] Jim Corman, who went to

the congress, was from the San Fernando Valley and he first ran for city council in Los Angeles. A tremendous attorney, an ex-marine. I admired him tremendously. And, in fact, we did help him in those council races because I sent a mailing out for him in my district that overlapped his council district, his congressional district. And put my neck out, a little bit. I became very close to Jim Corman. And then he went back there and really was in line for leadership in the Judiciary [Committee]. I stayed with him whenever I went to Washington. And he confirmed later one, "Allen, I think you made the right decision not coming here." Because he was dumped on desegregation, transporting children to and from schools. That woman that became congresswoman out there, whose name I've forgotten, she was recently defeated for [the] senate.

VASQUEZ: Bobbi Fiedler.

MILLER: Fiedler. Fiedler. Fiedler. That's it. Well, she knocked over Jim Corman, who had established a tremendous reputation back there in the Judiciary [Committee] and was in line for leadership positions and everything. She knocked him over on segregation.

VASQUEZ: A one-issue candidate, a nonexperienced person.  
How did she do it? Money?

MILLER: I never could figure out how. She just latched on. And she's a very aggressive woman. And, apparently, just didn't sleep or anything else. She just knocked on doors and sold segregation door to door in that district. You could knock me on my seat when I saw Jim Corman, whom I thought had that district locked up for life if he wanted it, knocked over by this fly-by-night woman.

VASQUEZ: Was the feeling against desegregation that strong in that district do you think?

MILLER: Well, it's an urban area. Yes, it was. It's a white, urban . . .

VASQUEZ: Was there a lot of racism that was brought out, maybe?

MILLER: I really didn't follow it enough to know. It just surprised me very much that she was able to accomplish this. But, as you can see from my comments here, I didn't fit into elective office. I was a maverick. I enjoyed the six years that I had there, it was a grand experience. My eventual ambition was to be on the bench where I felt comfortable. And a lot of the things that

happened in the elective office I was antagonistic to, as I still am. So I guess the happiest thing in the world was that I was able to achieve my ambition and not leave a background of too much confusion or trouble. [Laughter]

VASQUEZ: You seem to have been, throughout your career, guided by a certain set of principles, that you were willing to risk losses for. How would you succinctly summarize your political philosophy?

MILLER: I would say, gains in the areas to which you refer weren't goals to me sufficiently [important enough] to make me ambitious for them. When I took positions that might be antagonistic to the ultimate achievement of those goals, the goals weren't strong enough to overcome the expediency to do things. That's the only way I can explain it. It wasn't a conscious thing, particularly, maybe right or wrong. As I told you, originally in this interview, I wasn't a politically ambitious person.

VASQUEZ: But you were an idealistic person?

MILLER: I was an idealistic person.

VASQUEZ: Those ideals is what's interesting.

MILLER: Well, I don't know how you explain the achievement

of these ideals except I had a mother who was always prying for information, wanted to increase her knowledge. She was a loyal Democrat and a liberal from the word go, inherited from my sheriff-grandfather. She was an admirer of [President] Woodrow Wilson, because of the intellectual, scholarly aspects of his life. She was an admirer of [President Franklin D.] Roosevelt, the ideal Roosevelt. Her impact upon forming my social and ethical concepts, I suppose, played the largest part in the establishment of my idealism. She directed me in my reading, too. She was a great reader of all of the liberal commentators in the newspaper columns and would cut them out and send them to me and say, "Isn't this a great idea?" and, "We should do more in this area." So, with that push, with no influence, politically, on my ideals, from my father, whom I loved and admired as an individual --but there was no input there. Then, in college, primarily in prep school, where I really got my basic education, and having a class in Greek with a bishop of the Episcopal church who talked as much about the translation of the New Testament.

We talked [as much] about moral and ethical values, rights and wrongs, as we did about Greek. So there's an input, an idealistic input from a bishop on the intellectual level rather than on the religious level. So I think that's the explanation.

VASQUEZ: But you come from, or you seem to follow, a tradition among liberal Democrats who see government as a human agency that should be very active in society.

MILLER: Yes.

VASQUEZ: . . . and responsible for . . .

MILLER: Yes.

VASQUEZ: . . . for and to . . .

MILLER: Yes.

VASQUEZ: . . . the public. Is that correct?

MILLER: Yes, you've put your finger right on it, too. Some of my reactionary friends [say], "This smacks of socialism. The government is not supposed to do that. Keep out of the way. Laissez-faire is the name of the game. We're in a capitalistic society and the marketplace will determine all these values." Those are my extremist conservative-oriented friends. But, as I told you

originally, I felt that government--I hated to call it that when I was a socialist, or I studied socialism--had a role to play in the economic life of a broad sketch of the people composing it. And when we talk about democracy, we're talking about, under limitations of the constitution, a control of the majority.

And the majority don't happen to have a million dollars. The majority are just barely getting by and making a living and eating and keeping alive. Government has an obligation, it has an obligation to see that there's some equity in the distribution of wealth, and not just by saying, "Let's divide it up and then it will be back where it was before". But by stopping the monopolies and the excesses of business that eat on and flourish as a result of putting the little guy further down the line. I conceive that many of them did [this], particularly in the days prior to the Depression, before Roosevelt and the social democracy that he brought. That's what it was in those days of the trusts and the big powers. Anyhow, that's my political philosophy.

The Constitution and the Judiciary in Contemporary Politics

VASQUEZ: We're celebrating the two hundredth year of the American Constitution. Do you think in those two hundred years, we have come closer to the democratic intents of that document? Or are we moving further away from it, given the political climate that pervades public life today, conservative Republicans in power leading an onslaught on everything that Roosevelt put into place?

MILLER: Because of the entirely different economic, social conditions of the country at the time of the framing of the Constitution, it's just astounding to me that this Constitution has been able to work and apply itself to the problems of today with the increase of technology and all of these things. God bless those framers who made the wording of the Constitution broad enough to permit it to be a living, vital document, sufficient to run our country and this complicated society that we have today.

A lot of people don't recognize that those basic, fundamental principles and rules that were

put in there, in terms of their ambiguity, frankly, intentionally. And these strict constructionists are trying to use the words of the Constitution, to apply them today. Not applicable at all to what the social and economic situation was then. What [Attorney General Edwin] Meese [III] is trying to do and what, frankly, what I think the trend of the Supreme Court is trending this way, with all the progress made under [Chief Justice Earl] Warren and the broad minds that have contributed to the interpretation of the Constitution in the last twenty, forty, fifty years, the fears that liberals have in respect to this I think are justified. And, unfortunately, the appeal that these conservatives have for the nonintelligent, nonthinking person, they're emotional appeals that the average working stiff today just does not understand the breadth of this concept and the basics of this Constitution and the protection they have in it because of its ambiguity, frankly. Planned ambiguity.

VASQUEZ: Then you must be concerned about the direction that the Supreme Court is taking. How do you feel, for example, about the [Robert H.] Bork nomination?

MILLER: He's a fine legal scholar and I, if I were in the senate, I would vote him down one, two, three. Despite his rigorous scholarship, he has given so many inconsistencies of course, any guy that writes opinions on the court is subject to misinterpretation of those opinions and their application because they apply to a certain case. And I recognize that. But his advocacy of restriction of antitrust legislation, strong advocacy that we shouldn't interfere with the marketplace--and he still feels that way, in my opinion--and several other pronouncements that I have been reading scares the daily life out of me. I just hope he's not confirmed. But then, also, with my optimistic viewpoint, I saw an extremely conservative court with [Justice George] Sutherland prior to the administration of Franklin D. Roosevelt. The extreme conservatives, the court that Roosevelt wanted to pack so that he could get those old fuddy-duddies out, which was a bad decision. He admits it later on in writings that that was a very bad move, his trying to pack the Supreme Court. But then, to follow through on this, I saw the extreme conservatism of the court

in its interpretation of the Constitution through those days as I was in law school and growing up. And then I see this trend, of liberalism, under Warren and other appointees. Then I think, well, okay, maybe we have to suffer another forty or fifty years with a conservative court. But, eventually, right will prevail. Understanding will prevail. And we will then swing back to the proper interpretation of our Constitution. This is my philosophy.

VASQUEZ: Do you think that in broad terms that has been the way that American politics has manifested itself over time, a kind of pendulum?

MILLER: Yes. I think so.

#### VI. MAJOR ACCOMPLISHMENTS OF LEGISLATIVE CAREER

##### Abandoned Property Law<sup>1</sup>

VASQUEZ: What do you think were your major accomplishments while you were in the California assembly?

MILLER: Well, I suppose we're thinking about legislation. Naturally I put at the head of the list, actual end results and accomplishments was

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<sup>1</sup>. Uniform Disposition of Unclaimed Property Act. A.B. 16, 68th Leg. Sess., Cal. Stat. 1809 (1959).

the tidelands oil bill. I feel a sense of accomplishment in accepting and pushing the internship program. I felt some accomplishment in changing some procedures, that I can't detail now, in respect to the interim committees and the organization of the rules. I feel a sense of accomplishment, personally--not in end results--but in the friendships that I made with people that thought the same way that I did and that continued along. I can't think of any particular piece of legislation, necessarily. I do have a sense of accomplishment in pushing through--I had to compromise it pretty well at the end--the abandoned property law that Pat Brown put in my hands and asked me to be principal author of. And I had to compromise with the banks somewhat on the end, but after, we did get a bill that has made millions of dollars for the state in the area of trying to find the original owners that have abandoned their property and techniques for that. I had accomplishment in that respect.

Establishing California State University,  
Northridge

VASQUEZ: You had something to do with the legislation that

created California State University at Northridge, didn't you?<sup>1</sup>

MILLER: Yes. I have a sense of accomplishment there.

VASQUEZ: Did you work with Julian Beck on that?

MILLER: Yes. Julian Beck, because he had been a teacher and oriented to the educational community, had established contact with a Dr. [Howard S.] McDonald, who was the president of the original UCLA out on Vermont Street and had made friendships with him. And so, when I came into the legislature, it was the plan to have another university on the concept then of the college system, rather than the university system . . .

[End Tape 3, Side A]

[Begin Tape 3, Side B]

MILLER: . . . vocational training. And that's what the campus that McDonald headed on Vermont, was-- vocational training. Because of population, demographics, we were entitled to another college of that sort in Los Angeles County. And so McDonald was going to play a large part, I think, in where and what that college would be because he

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1. A.B. 971, 1957 Leg. Sess., Cal. Stat. 2265 (1957).

was head of the forerunner of it, on the Vermont campus, which was primarily a teacher's college. In talking to him, I said, "Why can't we have two colleges? What's wrong with having the vocational college centered in metropolitan Los Angeles, primarily devoted to vocational training for those that need it and use it there, and have another college? And I want that college in San Fernando Valley, in my district.

VASQUEZ: Were you thinking about the present day Cal State [California State University, Los Angeles] campus as being a vocational school?

MILLER: Yes. There was only going to be one when I first got my nose into this thing. I said, "Well, why can't there be two?" and, "Look ahead. Here's the growing San Fernando Valley." And he [McDonald] said, "Well, I don't know if we can get the director of finance to say okay to that. If we could cut Governor [Goodwin] Knight into it, why maybe it will go that direction." And I think maybe in the back of his mind, he was thinking of this all the time. I hadn't necessarily planted the idea, but certainly I gave him impetus in it. The concept then divided, but we probably

would have had two. And this made sense, of the vocational college located where it was and then another, more general, broad college out in the Valley. So, finally, they decided on this concept of having two and they were looking for a site for the other college in San Fernando Valley.

There were three assemblymen, [Charles J.] Charlie Conrad and myself and an Irishman, [Patrick D.] McGee, all of us itching to have that college in our district. And so I had a lovely home up on the hill, in back of the San Fernando mission, and I heard that the committee, including the director of finance--the guy that used to run Western Oil--was the director of finance for Knight [John M. Pierce]. Anyhow, I heard that that committee was coming out. I said, "I want to have that committee out to my home and I want to throw a barbecue and a luncheon for them." And told Mrs. Miller and so they agreed to come. So I had an opportunity to lobby them on these three sites, one of them in my district, one of them in Charlie Conrad's and another. I took them out to the Northridge site, which was lemon groves and orange groves at that time. And I did the best

sales job; central location, population trends, and all this that I had at my fingertips. This was the ideal place. And they bought it. Not then and there, but later on they said, "Well, the Northridge site is the best site." Then I also pointed out to them at that time that laying right next to the site, also, was the San Fernando Forty-first District Fair. Open ground with no housing or anything of that kind. And, these two public uses went together. And so when finally it was selected, before it was built, they were tearing down all these trees. And I bought twenty-five cords of wood for my three fireplaces in my home from the college. And then I became affiliated with the college. And because Julian, really, was the starter of the idea, of the concept of it, they had an advisory board and he became head of the advisory board. From the time it started until the present day, as far as I know, he's head of the advisory board.

VASQUEZ: No, he already resigned.

MILLER: Did he? Well, in any event, we both took pride in the growth of that campus as it came along.

VASQUEZ: Did you ever serve on that advisory board?

MILLER: No, Julian served there. And he was enough. I mean, they didn't need me on the thing. But they'd send me their publications and they'd invite me out to their homecomings and I have gone out two or three times with a little bit of pride and talked. Although I live away from it.

Eliminating an Agricultural Fair

But the final part of the story is the story of the fair to the college situation when I was leaving. As Julian [Beck] says and tells, it wasn't because of my horses, but I was antagonized with this damned Prussian [Max Schonfield] out there not letting the fair be used in the interim when the fairs weren't there for general use for Boy Scouts and things of this kind. He wanted it only for the fair. And the horses and boarding were just one of the things that Julian always attributed to my pique, because he wouldn't let me have my horses [there]. And that's not entirely true. They needed that fair in an urban area like a hole in the head, as far as I'm concerned. Despite the fact that Julian got it, and the way he got it was a fluke. A prominent senator from Merced, the deaf guy--I forget his name--[James A.

Cobey] he was a great fair person. He put in a bill with a couple of fairs in his district or area and Julian decided he'd load it down and kill it. And, by gosh, it went through with his Forty-first District Fair in it. [Laughter] And so, Julian had a fair and he participated in selecting Devonshire Downs as a good location for it. So, with this pique that I had with this Prussian fair manager, I said, "If I ever take this head on, I'll be killed because it's not in the interests of most of the people in my district, very frankly." They like the fair. Take a fair away from them? In any event, so I stuck this innocuous little bill in.<sup>1</sup> And probably he's [Beck] told you this story, but my concept was to wait till the last week of the session and amend the bill. If the fair director didn't serve three terms, he was out automatically. And that was a pretty good concept to ride because there was a lot of dead heads on it. So I moved it out of the assembly and got it over and put it on the senate file with the idea of author's amendments to the

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1. A.B. 656, 1959 Leg. Sess., Cal. Stat. 1733 (1959).

thing before this Prussian knew anything about it. And it was through and on the governor's desk and bang! And so I talked to that old cowboy senator, [Charles] Brown, I think his name was, from Mono County, who was chairman of that committee. And I said, a couple or three days before adjournment, "You won't believe this, but I've got an amendment to my bill that eliminates a county fair. And those monies are spread around and if I'm out of the competition for those monies, there's more for your fair and other fairs." He said, "What the . . . You mean [Laughter] we beat our brains out in getting fairs for our districts and here you are wanting to eliminate one?" And I said, "You're right. And I'll tell you very frankly why. It's because the SOB who is running this thing, he is not running it for the community, he's running it for his own personal aggrandizement. And besides, there's a university right next to it that can use the grounds and the facilities." And he said, "Well, I never heard of such a thing. But, hell, it's your bill and if you want to do it, I'll take your author's amendment here." I said, "Well, we can't

have too damned much publicity [Laughter] on this thing or something will hit the fan." "Yeah," he said, "I understand. I understand." So, boom! boom! The committee passes it out and on the floor and the senate passes it on consent file, or something of that kind, and it's on the governor's desk. And here's [Laughter] Julian, who created the fair. [Laughter] I didn't tell Julian anything about killing his fair, either.

[Laughter] And so he's [Laughter] the governor's legislative secretary. And the governor asked him, "Well, what is this thing, Julian? Eliminating your fair? Didn't you create this for you?" He said, "Yeah." And then Julian came to me, and I said, "Listen, Julian. You have an interest in that university, don't you? Personal, vital interest, don't you?" "Yes." "Now, very frankly, despite the fact you have the pride of authorship of creating that fair, in the long run don't you think the university could benefit by the assets of that fair and the grounds and everything else?" I don't know what he said, but anyhow I had him between a rock and a hard place. And so, I guess he told Pat to sign the bill that . . .

VASQUEZ: Well, he [Beck] says that produced a dilemma for him. That was the one piece of legislation he just had to pass on and let them deal with it as they saw fit.

MILLER: That sounds like Julian. That sounds like Julian. And I think he handled it [Laughter] very adroitly. I didn't know how he did it. I should have alerted him ahead of time.

VASQUEZ: But it didn't cause a long-standing conflict between you two?

MILLER: Oh, no, no, no, no. No, I don't think so. I never felt that. And, after all, I knew his interests in the university. I gave all of the assets of the fair, including the land and--what's it?--money in the bank, and everything else, I gave it to the university by grant. Because of the budgeting process, it would have to go to budget for information of the college next year, through the budgetary process and I couldn't just give the automatic grant to it. The intent was there, but so it had to be amended for mechanical reasons. And then when Tom Carrell came up there, he had pressures, all kinds of pressures from people oriented to the fair to reinstate this

thing. So, he made some kind of a deal or put some bill through that the fair could use it until the university would use it, where it's kind of held in trust or something of that kind, as I recall the situation. So when I went out to the university for a reunion, shortly after I got out of the legislature, the president came up to me and he said, "I just want to tell you, Judge, I just can't thank you enough for what you [Laughter] did for us and we don't talk too much about it or anything, but that's going to be a wonderful asset for an addition to the university when we grow further. And how you ever accomplished that. . . . You didn't ask us anything about it, whether we wanted it or whether we could use it or anything, you just up and did it." And he said, "It's there and we're entirely grateful [Laughter] to you to have this wonderful, multimillion dollar piece of property, available to us for expansion situation when the times comes." Oh, I had pride in that operation. It was kind of sneaky, but . . .

[End Tape 3, Side B]

[Session 3, October 19, 1987]

[Begin Tape 4, Side A]

The Tidelands Oil Leasing Act

VASQUEZ: Judge Miller, the last time we talked, we had only touched on your role in legislation regarding tidelands oil leases, which culminated in a bill that became law in 1957.<sup>1</sup> But earlier in your career, you were involved with oil as a young attorney. Can you tell us a little bit about that?

MILLER: Yes. I graduated from law school in 1929. While I was going to law school and right after I got out, I was associated with a young attorney by the name of Roy Maggart in the Van Nuys building. He was a very interesting character. I think he was about ten or twelve years older than I. A very attractive man, very social. He married one of the daughters of the Jevonese grocery people. I had the impression that he had become pretty successful the first ten, twelve years of his practice. He was a promoter type, as much as he

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1. Tidelands Oil Leasing Act. A.B. 80, 66th Leg. Sess., Cal. Stat. 1087 (1957).

was a lawyer. He, apparently, had made some investments early in his career with either his or his wife's money in development of the oil field at Santa Fe Springs. In the course of that, he had developed friendships with many oil well supply firms and had represented them in receivership actions and suing people who had developed oil; [he] had developed, primarily, an oil practice. It fell to me, right out of law school, to handle a lot of these things. He didn't like the courts, the law particularly. His planning and thinking and broad scopes were his primary interest.

VASQUEZ: You became a member of his firm?

MILLER: No, it was a one-man operation. I worked for him for a salary. I just started out as an errand boy, but then, more and more, he'd let me file a law suit, go to court, and he didn't particularly like to go to court.

But in the process of this, one of his clients was Sam Bowen, who was an oil field tool supplier that lived in Huntington Beach, had his main office there. And, incidentally, [he] turned out to be mayor of Huntington Beach. It was

shortly after I came in to his [Maggart's] office as a practicing lawyer that I became familiar with the fact that he had been instrumental in, I imagine, the early thirties--'31 [or] '32-- obtaining from the legislature, a piece of legislation that opened up the tidelands for bids in oil leasing. He was particularly interested because of this association with Sam Bowen.

Because Standard Oil Company, on the Southern Pacific [railroad] right-of-way of Pacific Electric [Railway], had their own wells fronting on the ocean at Huntington Beach, he had conceived the idea that they were--and rightfully so--that pool extended way out into the ocean, and they were just sitting up there in the catbird seat and taking all of this oil, under state lands and not paying the state anything to it at all. He was instrumental in going to the legislature--I didn't go up with him on this legislation at that time-- and got a bill passed providing for the leasing of lands in this kind of condition that would offset drawing oil from underneath state lands.

VASQUEZ: Do you remember who the legislator might have been that carried this legislation?

MILLER: No.

Historical Antecedents

VASQUEZ: Do you remember what year?

MILLER: It would be in the early thirties and later on. I contacted a Senator [J. M.] Inman, who could well have been the author of that legislation, because when we had initiatives later on--when I went into Sacramento to fight some of these initiatives on this thing--why I was told to contact Senator Inman, it would help me in the situation. I assume Mr. Maggart had made contacts there. But, in any event, he was successful in getting a bill providing for the leasing of state lands to protect the state from this drilling underneath.

When that became effective, I remember going down on January with Roy Maggart the minute after that bill became effective--the very minute--going down to the Huntington Beach tidelands and staking out six or seven different claims in different names to be lessees by the state. For some reason or the other, Maggart felt that the first to put the claim in, stake it out, and then make an application for a lease, would get it from a priority standpoint. So I remember in the middle

of the night going down there of this day and helping Roy Maggart stake out these claims on the tidelands off of Huntington Beach.

VASQUEZ: In the name of private individuals?

MILLER: Yes. We had two or three corporations for them that we put a corporation's name on. One of them was going to be in my name, just as a nominee for whatever Maggart wanted to do with it. So, in any event, as soon as we had done that, he immediately made an application to the surveyor general, who I think, was charged with this. There was no State Lands [Commission] at that time; the surveyor general was the guy that made applications for these six or seven leases.

The legislature, for some reason, had a clause in it to the effect, "However, no lands facing on or within one mile of an incorporated city. . . ." They were excluded. Couldn't be leased. These lands, according to Maggart's concept, were within the city limits of Huntington Beach. Not fronting on, or one mile of, they were in, because the city limits according to his having studied the thing, extended out into the ocean. So when we made this application, to come

back to the surveyor general, he said "Well, this clause excludes you. It's within the city, and the idea of the legislation was to protect [the city and] not allow state lease [on] any lands that are within the city." It didn't say "within." It's "fronting on or within one mile of."

Anyhow, we went to the appellate courts. We went the route with a man, Dallas I think it was. Yeah. And decisions of this somewhere, the thirties, early thirties, might be Maggart v. the surveyor general or somebody. They construed his interpretation had been the correct one, that even though it was within the city, that it was excluded from the legislation on leasing. I can recall going back to Washington, for the first time I'd been there, and talked to a justice of the Supreme Court of the United States with a writ of certiorari, holding this legislation unfair classification.

I tried to get [Justice George] Sutherland, who was on the United States Supreme Court at that, time to grant me a writ of certiorari on this decision because it was unconstitutional as

unequal protection of the law, blah blah. Well, I didn't get anywhere with that. The situation got turned down. So, no go. We're at the end of the rope in respect to this. It had been determined by the court of last resort, the United States Supreme Court.

Then Maggart says, "Well, okay. I'll tell you what we're going to do." He went back up to the legislature right after that and he was able to [get] a bill passed by the legislature. Now first. No, before he went up to get this legislation, he got from the city of Huntington Beach and his friend Sam Bowen leases on all of this land. The city gave him a lease! If they're in the city limits, it's the city's jurisdiction and the city can lease it. So he went up. First, did that. Had the lease all prepared and all [the] rigamarole of a binding lease with the city in Roy Maggart and his corporation. Then he went up to the legislature and had a bill passed--how he accomplished it, I still can't understand--granting to the city of Huntington Beach title to all of the lands within the city limits, which included part of the ocean, and validating all

leases heretofore given thereon.<sup>1</sup>

Governor Rolph Vetos Tideland Bill

VASQUEZ: Which meant?

MILLER: Which meant he had got the whole ball of wax. And he got it passed and got it on Governor [James] Rolph's desk. By that time Standard Oil and Southern Pacific finally got to Rolph and Rolph vetoed the bill, reportedly for a \$50,000 fee. Reportedly. Now, this is all hearsay. This is how Maggart said, "Sons of guns, the sons of bitches, they paid Rolph \$50,000 [and] he vetoed that damned bill."

He said, "Well, we're whipped back now. We've got to go the initiative route." And by that time, he was so involved in this thing that he needed every dollar he could put his hands on for this fight. I don't know whether it was to pay off legislators or what the reason for it was. And he started taking clients' money to his own use and, eventually, was disbarred for this. But, in the meantime, my faint recollection is

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1. A.B. 4, 49th Leg. Sess., (1931). The legislation was carried by Assemblyman Edward Craig of Orange County.

that he tried, the first time, to have an initiative of a law that would accomplish this. And put it on the ballot and have the people approve the law. I have a recollection that he was getting people, other oil companies, to finance this. He didn't have his own dough. I can remember the first go that he had at the initiative process was, I think, with Superior [Oil] and the Kecks. I know they financed one of his ideas along this line.

Tidelands Initiatives and Supreme Court Writs

VASQUEZ: Superior Oil.

MILLER: Later on, he got Hancock Oil to back him on another initiative. But this first initiative was an initiative for legislation.<sup>1</sup> He got whipped on that one. The people must have voted it down, this first one. Then the next step he had, "Well, we'll make a constitutional amendment of it! Put it in the constitution and then they can't do anything about it." And we had to fight these oil companies to put it in the constitution. It has to be that way, [so that] the legislature couldn't later on change it.

I remember one time in the thirties going up

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1. Proposition 11, 1932; Proposition 10, 1938.

to Sacramento in charge of one of these initiative campaigns. This is when I was put in contact with Senator Inman. I spent, oh, two or three months in Sacramento getting campaign, public relations and all this thing, fighting the oil companies. The pitch was, "We're fighting the big, major oil companies who are stealing the oil." This was the pitch. But we lost both of those initiative measures. Now, by that time . . .

VASQUEZ: They both got on the ballot?

MILLER: They both got on the ballot.

VASQUEZ: He was able to do that?

MILLER: Yeah. Yeah. We had paid circulators. Well then, after that defeat, that's about the time he was disbarred or urged to be, or something, and I got away from him. I left the office, and "This is not for me, this guy." But I heard later--or maybe it's about this time--that he decided that he would go the federal route.

In other words, title of these lands, he tried to get it from the city and the state, ostensibly. The federal government was trying to protect their rights to these lands within the three-mile limit because of headland-to-headland survey.

Some theory [says] that if from headland to headland, the federal [government] owned [land] and it [oil] was only in the inland bays, that the state had control. This is after I had left him. He made this pitch and was making progress and had backing from oil companies of one kind or otherwise. [By] making this pitch to have them declared federal lands, he had a better chance than he did if they were state lands. He went on and on with this push. But, finally, in '50 when, I think, Pat Brown was attorney general, a Supreme Court decision or federal concession of some kind, finally resolved this. They actually were state lands and the state should own title to them. But all the time these tidelands were held in trust for recreation, navigation, and fishing. The funds from it couldn't be used for any other purpose but the development of these purposes. [There was] some constitutional expression of this early on.

VASQUEZ: It couldn't go into the general fund?

MILLER: It couldn't go into the general fund, yeah.

VASQUEZ: In the case of Long Beach, what were they using them [the revenues] for?

MILLER: They recognized this and all of theirs had to be within these three trust things: recreation, fishing. Of course, they were very happy to put them into this because this was their life blood, too. They were under this trust compulsion at that time.

VASQUEZ: But weren't they able to use them to build a lot of infrastructure there in Long Beach beyond this?

MILLER: My recollection at that particular time, when Bruce [F.] Allen got his teeth into this thing, that they were complying with this court decision, that they were held in trust. And, of course, the word development is so broad. Recreation? Navigation isn't so broad. In fisheries, anything that is remotely connected with those three things will qualify for proper exercise of the trust situations. So there is this background in the early thirties that I had with some knowledge of tidelands oil and the titles to them. But then I didn't get into the legislature until 1953 and all of these things were water passed under the bridge, or over the damn [laughter] or wherever it is.

VASQUEZ: Whatever happened to Roy Maggart?

MILLER: He was disbarred. I never followed through with his checkered career. He was shaking down oil companies for [laughter] monies to pursue this great idea of owning all the tidelands off of Huntington Beach.

VASQUEZ: So his motivation appears to have been personal, rather than.

MILLER: Well, now, my relationship with him wasn't personal at all.

VASQUEZ: No, I'm saying his motivation seemed to have been personal gain, much more than civic-mindedness.

MILLER: Oh, yes. Oh, yeah, he was only thinking about being a multi-multimillionaire owning all those lands. It was all personal. Civic gains? No. [Laughter] It would never enter Roy Maggart's mind. [Laughter]

VASQUEZ: And he was able to function at the behest, or with the support of the Keck interests?

MILLER: I know at one time--at one time--that he was getting substantial, upfront money from the Kecks on one of these initiative campaigns. We're talking several hundred, two hundred thousand dollars. We're talking in loose terms. All the time he was fighting the fellows in the catbird

seat, Standard Oil of California and Southern Pacific, who were drawing it down. He was fighting them all of the time. So back in those days, it was the majors against the guys that wanted to get into the big game.

VASQUEZ: Majors against the independents?

MILLER: Yes.

Joe Shell and the Cunningham-Shell Act of 1955<sup>1</sup>

VASQUEZ: Tell me a little bit about Joe Shell, how he comes into the picture and culminates in writing legislation.

MILLER: Well, I never met or even heard of Joe Shell except as a football player from my alma mater, 'SC, until we were both elected. My recollection that [he was elected in] a special election in '53. I think we both came up there as freshmen. There were six of us: [Frank G.] Bonelli--not Bill Bonelli, but another Bonelli who eventually was supervisor of Los Angeles County from out in Huntington Park--and, oh well, two or three. . . . I think there were six of us that came up there as

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1. Cunningham-Shell Tidelands Act. A.B. 3402, 1955 Leg., 2d Sess., Cal. Stat. 1724 (1955).

freshmen and [were] sworn in together in January and started the January session of '54, after special elections.

Joe Shell being an ex-football player at 'SC, and I being an ex-graduate, and being new freshmen together--although we were different parties--why, a nice friendship developed, a personal friendship. His father was a judge, is my recollection, from San Diego. And I didn't first recognize that he was even in the oil business or had anything to do with the oil business. But I did, my freshman year, I become acquainted with that [when] he was married to Barbara, a daughter of the attorney who handled the Keck business.

VASQUEZ: He was also a lobbyist for Keck.

MILLER: Yeah, and a lobbyist, yes. But he was such a personable, lovable guy. He had the first [Ford] Thunderbird and he flew a plane. We flew together once in a while. So there was always a feeling of respect and admiration of this fellow. We were learning together--I came in at a time when there was turmoil in respect to lobbyists versus good guys, from the days of Samish. And it was reported to me that certain people were on one

side of this more than others. And they had thrown over the influence of this person that represented Superior. . . . My god, I [Laughter] . . . . His name was a by-word and it will come to me later on. But he was pressuring some of the older members that had been there a long time and who had--I don't want to say "used"--but were influenced very much by him. The new bloods, both Republicans and Democrats . . .

VASQUEZ: The "Young Turks" you were called.

MILLER: The Young Turks we were called under. . . . [Robert C.] Bob Kirkwood was one of them who later became controller and was on the board, incidentally, that leased . . .

VASQUEZ: The State Lands Commission?

MILLER: The commission. There was this feeling that the Young Turks had some things to do to fight against this influence. We were generally against it philosophically. So I don't know when we became conscious that Joe was on the side of the guys in the oil industry, particularly [the] independents, [Chester] Chet Dolly was one. It wasn't Chet, though, that we're talking about. Chet Dolly was the firm of. . . . Oh, my. . . . Well, anyhow.

So, now, that's the background a little bit, when I find myself, without solicitation--I think in the '57 session on Conservation, Planning, and Public Works, [Assemblyman Francis C.] Lindsay's committee that had very broad jurisdiction over many things. I don't remember soliciting it particularly, but somebody asked me to get on it. Lindsay took us all around the northern counties for weeks and showed us. It was a very active committee in dealing with so many broad things.

Then I became acquainted while I was on that committee with a young guy from San Jose, Bruce Allen. I thought he was certainly a Young Turk, a fighter. And he got this bug concerning the Long Beach deal and he asked Lindsay for a subcommittee to investigate that, why didn't the state get some of the money that Long Beach was getting, the whole ball of wax down there really. [They] shouldn't do it, let's get it for the state. So he's got this subcommittee on this subject. And I think I solicited to get on that, because I had some interest in this general area.

So we came down here frequently and had hearings in Long Beach [regarding] this revenue

produced here, who were the oil companies that had leases from Long Beach, and their bonus factors as to how they were handling the details of their leasing situation, and what companies were predominantly in the influence in getting these leases. [Atlantic] Richfield at that time was paying much more for leases, because they needed the oil for their refineries and it fitted into their integrated operation more. Richfield had the lock on everybody because of their economic position. And then we had the subject of subsidence down there; where they're drilling this oil out and the ground was going down [sinking] as a result.

Then the issue arose as to how you corrected the subsidence and secondary recoveries and pumped water in to up [raise] the subsidence. So then this idea of pool management arose and became focused in my mind, too, as a result of that. Of course this had been going on in the state leasing since my familiarity with it in the twenties. I had no recollection in '55 being acquainted with or voting for or against the so-called Shell-[Rex M.] Cunningham bill. I wasn't alert, or nobody, I

guess, was alert and it went by.

VASQUEZ: You had no part in the debate or the formulation of the Cunningham-Shell Act of 1955?

MILLER: No. No recollection. Not a single recollection.

VASQUEZ: Had it gotten public hearing?

MILLER: Undoubtedly it must have gone through that process.

Competing Interests in Tidelands Oil

VASQUEZ: It must not have been very noisy then.

MILLER: Well, it didn't get my attention. I don't think it got the attention of hardly anybody in the legislature. The idea of getting more income for the state and the general fund, and the generalities of it, nobody was sophisticated enough, either they were told to be quiet by the oil lobbyists, to keep their mouth shut on this thing, or they would stop contributing. I'm just assuming this. This is all assumption. I don't know. In any event, nobody blew any whistles in the '55 session that I was aware of, on the Cunningham-Shell oil bill.

But I picked up what it really was and what it meant; the difference between proven and unproven lands. It became so evident as a result of these Long Beach hearings and the disparity

between what the royalty arrangements were. Even before I got chairmanship of this committee to investigate further, I just could not believe that the state was granting these permits for geophysical core drilling and not demanding any of the results in order to evaluate what they had and what the terms of the lease should be according to productivity or lack of productivity.

VASQUEZ: At that time, was it voluntary on the part of those who did those studies to share them with public officials?

MILLER: Yes, that's right. And they'd say, "Oh, now, this is a competitive one. You go out and spend money to core-drill and to study these geophysical things, why this is information that is [expensive], share with our competitors, this is just not done. You can't compel us to do that. This is confidential information that we've developed on our own." I said, "But it's on state lands, and shouldn't the landowner know what the hell he has?" [Laughter]

Well, anyhow, this is the thing, that got me alerted, even before I started this thing. And then I'd heard rumors that they'd go out with or

without a permit and core-drill beyond the five hundred feet. I heard rumors that they had "Christmas trees." They had discovered oil already in this core drilling, then put what they called a "Christmas tree" on it--it's a stem on a real live pool with a valve on it--all they had to do was connect the valves and they had a producing well. And this on unproven land, you see.

VASQUEZ: And on which no revenues were coming to the state?

MILLER: No revenues, yeah. Well, but they were all ready to go. In other words, through the core drilling, they had gone down more than five hundred feet and hadn't told the [State] Lands Commission anything about it. They knew there was a producing oil field there and actually had tapped the oil. They had an oil field and they wanted to get it for 12.5 percent royalty. So this is what struck me as damned unfair [laughter] to California, to have a man or an organization that has an oil field under his land, and give it away to somebody.

VASQUEZ: And had this already been put into place with the Cunningham-Shell act, had this effected that 12 percent?

MILLER: Yeah, nobody had said anything about it at all.

And the State Lands Commission were [leasing] big [parcels], particularly off the Santa Barbara [coast], as my report indicated here. They had leased a block of land to Humboldt [Oil], got the bid of this very limited acreage--I think three or four thousand acres--with a bonus of six or seven million, somewhere around there, at a 12.5 percent royalty, straight, on unproven lands. They had already issued that lease, and they had applications for dozens and dozens more under the Shell-Cunningham, the same way.

That's when I got really excited, "My god, they're going to give this all away before I have a chance to do anything about it." So that's when I think I wrote my first letter, to the commission and said, "Hey, hey, hey. Don't issue any more of these things until we can take a look-see at it." And, of course, I had some friends on the commission. Bob Kirkwood was one and [Harold J., "Butch"] Powers, who was the lieutenant governor, was on the commission. He was on the side of the governor, I'm quite sure. And, of course, the main guy was the director of finance under [Governor Goodwin G.] Goodie Knight,

whose name I've forgotten. But he used to be the executive secretary of the Western Oil and Gas Association.

VASQUEZ: And the governor's stance? I mean, he signed the Cunningham-Shell Act.

MILLER: Maybe he was as ignorant as I was, or anybody else, of the giveaway it was. Probably his director of finance said, "Oh, this brings some money into the state," and nothing was said about fairness of the bidding procedures or anything about it. It was the idea of some more money and Goodie Knight was, to my opinion, a good, honest governor. If he knew that there was some skulduggery going on, I don't think he'd go for it. But, evidently, this was a pretty clever operation, this director of finance knew all about this. There's no question about it. And so, they were ready to go gung ho until I started writing letters and Pat Brown backed me up.

Then there was an attorney in Los Angeles by the name of Silver that I don't know how I got in contact with. Was it Roy Silver? No. Anyhow. He saw the same thing that I saw, the steal or the giveaway or something, and he said, "I'm going to

file a lawsuit." And he did file a lawsuit, seeking to restrain the commission from giving any more leases until the legislature could take a look-see. And I think he was successful. At least he delayed it. The commission got a little leery, frankly, as a result of this lawsuit and the potential liabilities and scandal.

VASQUEZ: Were there people close to or beholden to the oil interests on that commission, that you could determine at that time?

MILLER: Well, let's take first the staff of the lands commission, civil service people. In my first inquiries, [they] gave me a lot of information, frankly, that was very helpful to me concerning the procedures. I have some recollection I asked Bob Kirkwood for help in getting to the commission records and the facts. There was on the commission, besides the director of finance whose name I've forgotten, Bob Kirkwood and Butch Powers, the lieutenant governor. I don't remember any other members of the commission except those three. Now, there's no doubt about where Butch Powers stood. He would be favorable to not blowing any whistles on the thing. And the

director of finance, his loyalties were with the oil industry. Bob Kirkwood was free and clean, wouldn't have any [such] loyalties and was interested when I talked to him, in supporting. Of course, here I had the attorney general, Pat Brown, on my side of this issue, too. He was in a position to write legal opinions, besides the influence of his office generally. In any event, that's about the background, as I can remember.

VASQUEZ: Now, the fundamental differences that you had with the Cunningham-Shell Act had to do with a sliding scale versus a set royalty scale that would come to the state. Is that correct?

MILLER: Yes. The thing that struck me was, one, the Shell-Cunningham Act trying to make the commission determine which were proven and which were unproven lands. It was an impossible task. It would depend on professional advice [Laughter]. . .

VASQUEZ: From the oil companies.

MILLER: . . . from the oil companies, yeah. You'd have to take the advice of the oil companies on this thing. This was really impossible to get. There was no rationale. Where did a new field start and where did an old field end? It didn't make sense for

this division, the criteria. Then [there is] quite a difference in 12.5 percent against 16.67 percent. Also, I became acquainted with the fact that the State Lands Commission was getting up to 35 percent on most other state lands and the tidelands over a period of years just before this time.

Why 12.5 percent? Well, in the private oil industry, when you go into new, virgin territory and there's no hint of oil or otherwise, it was general practice that the going [rate] was 12.5 percent on these wildcat situations. So the oil companies wanted to adopt that wildcat concept to these lands in which [Laughter] there was no wildcat at all.

VASQUEZ: I was going to say, the California tidelands were hardly wildcat.

MILLER: So then we got further into this thing. Another [problem] was as our report pointed out, the inequities in bidding. The guy who gave the biggest bonus or upfront money got the bid. And the little guy couldn't, can't compete on that basis with a great big integrated oil company. So it was stacked in favor of the majors versus the

independents. It got even worse because of the fact that all of these bids were joint bids between several oil companies. Several oil companies would get together to make these bids, to share their loss if it didn't turn out just as they had hoped. But it was unfair, too, the amount of money that would [represent] the difference between 12.5 and 16.67 percent. Over a producing field, you couldn't get enough bonus to equate or cancel that differential out. So it had to be changed so that as more oil was produced-- and from the company's standpoint, they got their production costs out of it, they weren't going to lose as it went up--the state, the landowner, would share proportionately with the producing field. Even at the 16.67 percent minimum, it still didn't cost them any more money on the 16.67. I think the report points this differentiation out in a very good way.

VASQUEZ: Who was your main opposition in the legislature when you got to working out the legislation? Following the history of the legislation, I understand when it got to the senate it had a bit of rough sledding there.

MILLER: Well, I became aware on the assembly side that the influence of, quote, the independents--Superior [Oil] at that time was in the assembly. And the senate, the majors . . .

[End Tape 4, Side A]

[Begin Tape 4, Side B]

The majors had more influence in the senate through Al Schults. Al Schults was the lobbyist for the majors and a close personal friend of George Miller's, a Democrat [whom] I related to in much legislation and had great admiration for. But he came from Contra Costa County where all the majors had their big refineries. Standard [Oil], and so forth. But Al Schults and he had been pals for years and years and years. Over in the assembly side, Superior Oil and the Kecks supposedly were trying to get more influence. They, with certain of the legislators, influenced the independents on the assembly side.

VASQUEZ: Were they necessarily assemblymen from those districts that had refineries?

MILLER: No.

VASQUEZ: Or were they people to whom . . .

MILLER: They had been working. . . . Isn't it funny how

some names go? And it's so prominent. This lobbyist for the Keck interests and Superior Oil had a great deal of influence and was contributing heavily to campaigns of a lot of Democrats and had great influence as a result of this with liberals like myself, and Hawkins and [John McFall] Mac. . . . Well, anyhow . . .

VASQUEZ: What area did this Mac represent?

MILLER: Well, the Culver City area. And he was fish and game commissioner at one time. [Lester A.] McMillan, swell guy who was on the right side of most social legislation, but by his last year he was an old-timer that had been there in the Samish days and the Olson days and so forth. He was an old pro and he knew where all the dead bodies were buried. He would play poker frequently at the old Senator Hotel. But this doesn't say anything. I don't mean to. . . . But he just happened to be part of that old bunch, that Lyons and. . . . So, anyhow. Now, where were we? Oh, you asked me in respect to who was on the opposition.

VASQUEZ: On the opposition in the assembly, and in the senate. Anybody in particular in the senate?

MILLER: No, frankly in the assembly everybody thought Joe

Shell had an axe to grind and he became a little suspect with some of the good government guys. His name was on this Shell-Cunningham bill and here it turns out to be, after this report, to be kind of a giveaway operation. So, we began to see the handwriting on the wall, that's when he put his bill in.

The State Lands Commission

VASQUEZ: So he was conceding the percentage, but he didn't want that sliding scale, if I remember correctly.

MILLER: Well, he finally went along with the sliding scale, but putting it in the hands of the lands commission [the right] to determine when it should be put in, rather than [making it] mandatory, you see. He thought he had the lands commission locked up with Powers and the finance director so that they wouldn't do anything against the independent oil companies. This is where it finally got to the point of the difference in his bill. He finally conceded the 16.67. And he finally, I think, came along--even though he opposed it and fought every inch of the way--on the sliding scale on royalties.

VASQUEZ: That's why I was asking you about that lands

commission. It seems like some people felt comfortable with some members of that commission.

MILLER: Yes. I think so. But the only place where, I think, that he didn't give, [was] in respect to making it mandatory rather than at lands commission discretion.

VASQUEZ: I think even some of his backers, some of his independent oil backers, began to concede to you. Is that correct?

MILLER: Yeah, I think so.

VASQUEZ: They broke ranks and worked with your bill?

MILLER: Yes. Yes, that's right.

Jesse Unruh's Help in Tidelands Legislation

VASQUEZ: Why do you think that was? They saw it inevitably being passed?

MILLER: Well, yes. I felt that there was so much merit, [as] against the other old way, or the Shell-Cunningham way, that I would prevail, provided that I didn't get killed in the senate. The majors really could kill anything they wanted to kill, if [it] got there. And they would have, with my good friend George Miller and Al Schults, if it hadn't been Jesse Unruh getting [Hugh M.] Hughie Burns, who was speaker pro tem and a

professional mortician and had insurance [agencies], and a pretty square-shootin' guy. He'd been so long in the assembly, he knew where the dead bodies were buried. [Laughter] He also knew George Miller's and Al Shults's influence in the senate, but he was the head guy, Hughie Burns, over there in the senate. So, a good old real politician--god bless him--Jesse Unruh, said, "Al, you know, you might have some trouble over in the senate." I didn't pal around at night with these guys, drinking and carousing and all of that business. Jesse said, "No legislation is any good until it's passed. And there are two houses, Allen. There's two houses you got to pay attention [to]. You just can't give them a good argument here and get it out of the assembly and forget about it. You can't do things like that up here." And here he [had] come in later than I did.

VASQUEZ: He had even less seniority than you, didn't he?

MILLER: Oh, he learned the rules, personal rules, of getting legislation passed and dealing with people, wheeling and dealing, that was way away ahead of me. You know, we were of two different

temperaments. But, finally, when we got it [the bill] out of the assembly and we were talking about what was going to happen in the senate, he said, "Allen, let me. . . . I think I know the score over there." And he said, "There's only one guy we can get around Schults and Miller when we get over to the senate." He said, "That's Hughie Burns. Hughie and I already have some pretty good plans. Let me go over and talk to Hughie about it and see what gives." Then he came back a few days later and said, "Allen, Hughie's on our side in this thing. He's going to stand up and make these guys be counted." And I didn't lobby anybody in the senate. I went over and presented the bill and all its arguments. And I theoretically went to the committee, and so on. But the work had already been done. And it skidded over there because of Jesse Unruh and Hughie Burns. It's as simple as that.

VASQUEZ: And the amendments that were put on in the senate that you rejected?

MILLER: Oh, those amendments are in respect to Assembly Bill 80--that had to do with the conservation oil situation--and the issuing of permits. It was the

giving out of confidential information learned in the geophysical and core drilling, the industry was screaming to high heaven that that shouldn't be given. The amendment, when it got into the senate, was innocuous as far as I was concerned. They left in my provision of their having to mandatorily give [out] this information. But the senate wanted in a clause--and I forget who put it in, but it was acceptable to me--that any employee of the lands commission who gave this information out to rivals, or anything of that, was guilty of a misdemeanor and fine. But that was fine, because it was supposed to be confidential, for the purpose of letting the state evaluate the bidding. That's the only amendment that went into the senate on that particular bill. And I conceded and told the assembly, you know, that [amendment] doesn't hurt anything. It's good. We've still got our main provision in there that they can't core-drill without giving the state information concerning it.

Public Interest in Tidelands Oil

VASQUEZ: Tell me, you had at least three sets of hearings that led up to the report of 1955 and that gave us

this legislation. What kind of public information campaign did you launch? Did you use newspapers? Did you use press releases? Press conferences?

MILLER: I can't recollect too well. I had on the staff of the committee--and how I got in touch with him, I don't know--[the representative of an] independent oil company that wanted to get into this game and did not like Superior [Oil] or the Kecks running the picture. They volunteered to give me a man that was extremely knowledgeable in this area, this field, to be my counselor, advisor, staff man, and pull all these things together. I can't remember him writing this report. But he was the one that prepared this so-called press release [refers to 1956 press release]. I didn't do it personally. Didn't know where it went or anything. But he said, "You need a little public support on this doggoned thing, you know." And I said, "Yeah, I know. I don't have any public relations people or anything like that." He said, "Well, I can plant a few things around here that will be picked up."

VASQUEZ: Stories in newspapers and such?

MILLER: I assume that that was it. Although I think it was planting with the certain oil industry people he knew. And if you could get those [people] opposed against the majors, up in arms, they would spread the word around and be lobbyists and public relations people for you. They wanted to get into this big game of tidelands oil too. So I didn't take any individual assemblyman or congressman, as they do today. Like this article says, "I didn't do any of that public relations planning or fanning the public." This fellow was pretty knowledgeable. He knew how to do things and how to get stories in. I can't even remember his name.

VASQUEZ: Was oil much of a public interest at the time?

MILLER: Well, yes, because we had had all of these campaigns, initiatives and constitutional amendments. Not only the ones Maggart was sponsoring, but during the thirties and forties, there wasn't an election that went by that this fight between the majors and the independent oil companies over many issues wasn't in the public's mind, and the press [was] editorializing on it all the time. So it was, generally.

VASQUEZ: Do you remember which of the large papers in the states supported you? Say, the Times in L.A.?

MILLER: I have no recollection at all. No. I don't have any at all.

VASQUEZ: Was any pressure put on you as an assemblyman for your stand on this?

MILLER: None whatsoever. No pressure of any kind.

VASQUEZ: You never got any negative political fallout?

MILLER: Nobody threatened me or threatened my campaign contributions. I think I previously told you the story that was illustrative of campaign contributions and what is expected from them. When it hasn't anything to do with this particular legislation, but it has to do with general oil legislation.

This man, this attorney who represented the Kecks and whose name I've forgotten [Harold C. Morton]--I thought I never would--in any event, maybe I'm repetitive here, but I told you about my friend that was a lobbyist for the mortuaries and wanted me to meet this man. I think that story's already in the record of his slipping some hundred dollar bills and then said, "Don't report it." And I said, "I would." And, "I'm not asking

anything for it. We just like good men like you up here." And then I get up there in the first year [Laughter] and there he was sponsoring a bill favoring the oil companies in respect to replenishment of fields, that really was a stinkeroo of a bill. And I stood him up and wouldn't talk to him until after the vote. And [Laughter] he was so mad that he couldn't see straight. It was just illustrative of any campaign contribution that is made. Don't kid me that they [don't] want something out of it and expect you to do something for it. Because whether it's in oil or whatever it is, why, we need some corrections in this area. It's gotten out of hand. Legal bribery [is what] it is.

Tidelands Oil and Contemporary Environmental Issues

VASQUEZ: What impact do you think your legislation had on preserving or looking out for the interests of the state in the matter of oil? Because in the 1960s, oil became a big issue again in California, the off-shore drilling. And just yesterday in the Los Angeles Times magazine, the front-cover story was on the upcoming fight for leases for the off-shore drilling.

MILLER: This is environmentalists versus economic development of a free-market source, particularly during the cartels of the Middle East. I can't see any direct connection at all between my legislation and what's going on today between the environmentalists and the oil companies pressing conflicting viewpoints in development of off-shore land. Of course, we've had these little spills up around Santa Barbara that gets the residents of the coastal cities and communities up in arms about any more drilling out there. But I think, frankly, the aesthetics of seeing [it] doesn't bother me at all, of seeing good drilling platforms out in the ocean, if you've done a good job of making [the platforms] pretty and acceptable.

If I were in the legislature today, or the congress today, in respect to legislation on this field, I would be inclined to think that the greater public interest would be--with all the safeguards that are being made in respect to protection of the environment by the oil companies--on giving the leases concerning protection. You can't guarantee one hundred

percent some act of God, but I think the economic interests now outweigh the aesthetic interests, frankly, of environmentalists. I think I would be voting on the side of development, with all of the protections we can get from the leasee.

Of course, the situation is a little different now too. The idea of air pollution as a result of fumes in developing off-shore facilities polluting [is unacceptable]. [The same is true of] a breakaway, wild well in the ocean.

VASQUEZ: Even though it's cast in environmentalists-versus-economic-development terms, at root there is still the question of the right to certain resources off the coast either accruing to the state or to the federal government. Do you see that changing? Do you see now that national interests have to be considered above state interests?

MILLER: They don't have to be. The demarcation now of boundaries and who has the right not only to the title to the lands and development rights to the lands, but also the effect [this] has, are interrelated. We don't have the old arguments, the federal government has the right, in my opinion, to those lands under certain trusts

beyond the three-mile limit. And they have the legal right to develop them. I think the fight between the coastal commission and the impact of their development on life-style and environment has to be compromised in some way. I think [it is] pretty well compromised in the protections that we have as people that live on the coast, like I do here [in La Jolla]. We have a right to say to the federal government who's three miles out here developing something, we have a right to be heard and balance the equities between the economic need for the federal government and the aesthetic needs [and] protections of the home folk. I think it's working out fairly well. Of course, the politicians that represent coastal areas, oh, they have to scream and yell because the votes are right here. They aren't [acting] in the broad economic interests of the national government and the deficit.

VASQUEZ: Now, you're also getting state interests, economic interests--say, the fishery industry--that are coming into the fray. So it's more than aesthetic, isn't it?

- MILLER: Yes, I'd say. It's a conflict of special interests.
- VASQUEZ: Do you think for your time you were able, with your legislation, to balance that conflict in a way that made it more equitable for the state of California? Was that your role?
- MILLER: I can't say I was in any way influenced in the legislation that I handled by environmental considerations. I wasn't even thinking about them. I was thinking about . . .
- VASQUEZ: Economics?
- MILLER: Economics alone. The public's fair share of their resources. The [environment] didn't enter into my thoughts or consideration at all.
- VASQUEZ: The environment wasn't a consideration in those days?
- MILLER: No.
- VASQUEZ: In reading some of the arguments that you pose in the report, you make the point that income might otherwise be lost to the large oil companies that could otherwise take care of a lot of the state's financial needs. Education, I think, you mentioned that.
- MILLER: Yes. Sure.

VASQUEZ: I think you mentioned the Feather River Project.

MILLER: God, I snuck that in. That's pretty good because water was on the minds of everybody, getting together on a compromise of north-south water, which happened during the administration [Edmund G. Brown, Sr.] that I was part of.

VASQUEZ: Is there anything else that you can think of significant for the public record on tidelands oil in the 1950s?

MILLER: I can't think of anything more.

[End Tape 4, Side B]