



California State Archives  
State Government Oral History Program

Oral History Interview

with

**NICHOLAS C. PETRIS**

California State Senator, 1967 -  
California State Assemblyman, 1959 - 1966

December 20, 1988, February 14, February 26  
April 6, October 12, and October 31, 1989  
Sacramento and Oakland, California

By Gabrielle Morris  
Regional Oral History Office  
University of California, Berkeley

## 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 issues of the state of California. They include members of the legislative and executive branches of 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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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



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B. "To a Fallen Eagle," eulogy for Robert W. Crown, May 22, 1973.

## INTERVIEW HISTORY

### Interviewer/Editor

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### Interview Time and Place

December 20, 1988, session of one and a half hours, recorded in Senator Petris's district office in Oakland  
February 14, 1989, session of one hour, recorded in Senator Petris's office in the state capitol.  
February 26, 1989, session of two hours and ten minutes, recorded at Senator Petris's home in the Oakland hills.  
April 6, 1989, session of one and a half hours, recorded in the senator's Sacramento office  
October 12, 1989, session of two hours, recorded in the senator's Oakland office  
October 31, 1989, session of one and a half hours, recorded in the Regional Oral History Office at UC Berkeley

### Editing

Morris 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 footnotes and introductory materials.

Senator Petris reviewed the transcript and approved it with minor corrections.

### Tapes and Interview Records

The original tape recordings of the interview are in The Bancroft Library, Microfilm Division, at the University of California, Berkeley, along with the records relating to the interview. Master tapes are preserved at the California State Archives in Sacramento.

## BIOGRAPHICAL SUMMARY

Nicholas Petris, commonly known as Nick, was born in Oakland, California in 1923. He attended Oakland public schools and graduated from the University of California at Berkeley in 1943 with a B.A. in journalism. After service as a lieutenant in the U.S. Army in the European theatre from 1944-1947, he went to Stanford University law school, graduating in 1948 and passing the bar in 1949.

He married the former Anna Vlahos of San Leandro in 1951 and became active in the Greek community and in local and state Democratic party affairs. He worked on Oakland committees for slum clearance, better parks and recreation, improved public transportation. In 1955 he was appointed to the city redevelopment agency and elected regional vice president of the California Democratic Council.

In 1958, Petris filed for the 15th Assembly District seat when the incumbent, Speaker Luther Lincoln announced he would not seek reelection. Petris was handily elected and soon became spokesman for early measures to study and preserve the Bay Area's environment and to reform inequities in California's cumbersome revenue and taxation situation. When reapportionment created a number of vacancies in 1966, Petris ran for and was elected to the state senate where he has become a key member of the house leadership. In 1990, he served on the Joint Legislative Budget Review Committee, the Senate Rules Committee, and on the Budget and Fiscal Review, Judiciary and Revenue and Taxation Committees.

[Session 1, December 20, 1988]

[Begin Tape 1, Side A]

PETRIS: OK, fire away.

MORRIS: We usually start at the beginning, and your early . . .

PETRIS: OK, I was born on February 25, 1923. Is that what you want?

MORRIS: Yes. Here in Oakland?

PETRIS: Here in Oakland.

MORRIS: Skipping a few years, I find you as a journalism student at Cal [University of California at Berkeley], and then a law student. I wondered what interested you in journalism, and if you grew up with an interest in public affairs, if that was part of the household.

PETRIS: Yes, that was it, the household. My folks are immigrants, and they were naturalized citizens, and when we were in grammar school, "we" meaning my brother [August Petris] and sister [Katherine Petris] and I, both parents [Christopher N. and Mary Petris] were taking courses at night to go through the naturalization process with a marvelous teacher by the name of Mrs. [ ] Webb, to whom I hope someday to erect some kind of a

monument, really. Mrs. Webb.

MORRIS: In the adult program?

PETRIS: Part of the adult program at Prescott School. And we used to help them by reading questions to them from the back of the little book they were given. We'd read the questions, and then they'd answer, on the constitution and on whatever it was they were going to be examined on in court.

So, from that point on, we got an early peek at government. After they became citizens, they never missed an election. I mean, I've seen them get out of a sickbed and go vote on a rainy day and come back. They kind of instilled that in us, in all of us. As I went through school, I was very active in all kinds of stuff. That just kind of led to being an active sort of citizen later.

MORRIS: Are you the eldest, or . . .

PETRIS: I'm the oldest, yes. We had in high school, to show you the extent of our activity, I was student body president at McClymonds, and then my brother Gus was president, and then my sister Katherine was president. She was the first girl to be elected president of the student body at McClymonds High School.

MORRIS: Really. And her name is . . .

PETRIS: Katherine.



MORRIS: So there was kind of a Petris machine? [Laughter]

PETRIS: Well, I don't know if I'd call it that. I don't have one now, let alone then. I was active in a lot of other groups, too. I was really motivated by something or other. I was a founder of several of the clubs.

MORRIS: Really?

PETRIS: Yes, the Junior Statesmen chapter in our school, I was probably the first one to start putting it together.

MORRIS: Is that the one that is organized by the Junior Chamber . . .

PETRIS: No, no, it's called Junior Statesmen of America. It was created by a professor named [ ] Rogers. He ran the Montezuma School for Boys in the Santa Cruz Mountains. He had this vision of training young people to be statesmen, and he had summer programs at his school. It was an all-year-round school. I never went to the school . . .

F.T.<sup>1</sup>: It's very government-oriented; it's not business-oriented.

MORRIS: Yes, I know the Junior Statesmen program; it still exists today.

PETRIS: That's right. And I have been a member of the foundation board

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<sup>1</sup>Felice Tanenbaum, the senator's administrative assistant, joined the interview at this point. When Petris left the room briefly to see a constituent, Tanenbaum provided information on the operation of the senator's office.

for the last fifteen, twenty years. It's expanded nationally, and it's done tremendously well. As a matter of fact, the new assemblyman, [Theodore] Lempert from the Peninsula . . .

F.T.: San Mateo.

PETRIS: The youngest member of the assembly . . .

MORRIS: That young fellow?

PETRIS: Twenty-six, twenty-seven . . .

F.T.: Yes, he beat [Assemblyman William] Duplissea.

PETRIS: He's a Junior Statesmen alumnus. That's one of their [high school activities]. Another one was I was very active in the Hi-Y; I didn't found that one. And there were a couple of other organizations that were brand new, that I helped form. So I was president of half a dozen groups when I left school, in addition to student body president.

F.T.: In addition to church activities.

PETRIS: And a lot of church activities.

MORRIS: How did you find time for your classes?

PETRIS: Well, I just learned to organize my time, I guess. I was editor of the school paper, and sports editor before that. People don't believe that, but I wrote the best doggone stories about the football team, and how they handled. . . . I knew the plays, and I

knew the. . . . I used to write long stories about the game. The games were always on Friday, and I'd write them up over the weekend and have them ready for the paper on Monday morning. Yes.

So, anyway, the motivation came from the parents, and it tied in with Greek heritage and democracy and its origins, and Pericles and so on and so forth.

MORRIS: Was there a big Greek community in Oakland when you were growing up?

PETRIS: Well, it wasn't big, but in our part of the world it was big, in that we had neighbors who were of Greek descent, and we were active at the church. I went to school there after hours from four to six, three days a week.

MORRIS: Did you speak Greek at home?

PETRIS: I spoke Greek at home, that was my first language. I didn't speak any English when I went to school.

F.T.: That was rather traumatic.

PETRIS: It was traumatic. My parents primed me for a whole year before I went to school, that I'm going to go to school, to look forward to it as a wonderful adventure, and a marvelous thing, and a chance to learn. When people would come over to visit, they'd say, "See

Nick here? He's going to school next year!" Or, "in eleven months," "in ten months," or "next week." You know.

And so the first day I come home, my father wants to know how everything went, and I burst into tears. He got very upset. "What's the matter? Somebody beat up on you?" "No." "Well, don't you get along with the other kids?" "Yeah." "Is your teacher OK? Did she beat up on you? What happened to you?"

And he finally got out of me, my complaint was that, "Nobody speaks Greek! I don't know how to talk to anybody!"  
[Laughter]

MORRIS: Oh, dear. So the Greek community was large enough so that you could spend five years just speaking Greek with the friends and relatives?

PETRIS: Well, that was family, more than anything else. Yes. At home, not going to school, being at home all the time, I spoke Greek with my mother. And then my father, when he got home. And my uncle [ ], we had a . . .

F.T.: Because they were first having to learn English themselves.

PETRIS: They were just learning themselves. But they deliberately sacrificed learning it a lot better in order to pass on the language to us. They insisted that we speak Greek at home all the time.

To their dying day, all we spoke at home was Greek.

MORRIS: That's really very valuable.

PETRIS: Yes, I'll say. Very valuable for me.

MORRIS: When they came to this country, did they leave lots of relatives still in Greece?

PETRIS: Yes. I still have more relatives over there than I have here. I have one first cousin here in the whole U.S. All the rest of my first cousins are in Greece. It's only a small number, but whatever they are, they're over there. So some people say "I'm going home to visit my family," it might be L.A. or Reno or Connecticut . . .

F.T.: New York, even.

PETRIS: Yes, Connecticut or New York. If I want to see members of my family, I have to go all the way to Greece.

MORRIS: Have you stayed in touch with them over the years?

PETRIS: Oh, yes.

MORRIS: Visited with them?

PETRIS: Yes, I have. I've visited, I have some very close friends who are first cousins on both sides, both my mother's and father's. I have a cousin on my father's side who graduated from the University of Athens Law School, and went back to the village. He tends the family farm: citrus and stuff, and other things. They raised

chickens for a while, and he was elected mayor of his town, served for eight years, until a couple of years ago. I stay in close touch with him and his brother and his sister.

On the other side, I have another first cousin [ ] who's also a lawyer, who was a member of the Supreme Court of Greece for many years, one of the two supreme courts that they have. They split it. The last five years, he's been a member of the International Court of Justice of the European Community, a very, very distinguished jurist.

MORRIS: You must have interesting discussions between you, as to the differences of government on . . .

PETRIS: Yes. We went over to Luxembourg where the court sits last year and visited him there. He visited us here last year for the first time. So we maintain very close contact, and my wife, she has an enormously large family all over the place, here and there.

MORRIS: There's a press clipping in the [Oakland] Tribune archive that says you were part of an American mission to observe the first Greek elections after World War II?<sup>1</sup>

PETRIS: Right.

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<sup>1</sup>Oakland Tribune, May 4, 1946.

MORRIS: How did that come about?

PETRIS: Well, I don't know if you want that, that's a long story. I'll try to make it short.

I was in the army in World War II, and I tried very hard to get into Greece through OSS [Office of Strategic Services], in order to work with the underground resistance against the Germans. I just tried for a long time, and it didn't work. Finally, a beautiful young . . .

F.T.: . . . damsel came to his rescue.

PETRIS: . . . Women's Air Force lieutenant [ ] who ranked me, she was a first lieutenant, or a captain, and I was a second lieutenant at the time . . .

MORRIS: U.S., or British, or . . .

PETRIS: U.S. She was transferred from Texas, where we both were stationed, to Washington, and within a week, she got me transferred to Washington. [Laughter]

F.T.: We don't quite know the ins and outs of that one.

[Interruption. Petris leaves the room]

MORRIS: [Inquires about getting copies of Petris's speeches]

F.T.: Most of his most brilliant speeches are off the top of his head.

People come up to him afterwards begging for his notes, and he

doesn't read from notes. The interesting thing, from my job, from my perspective, is when I have to gather background information for him and do the research for a particular group that he might not have been working that closely with, I will strictly give him outline statistics and let him fit it in to where in his heart he feels it belongs. Because that's where he really speaks the best from.

When I've tried, in certain debate situations, to give him actual sentence-structured speeches, it's a disaster. It just is. He knows it; I know it; it doesn't work. If he doesn't feel it, it doesn't work.

So the best that he can provide people who ask for anything like that is sometimes, ten minutes before he's actually going to stand up, he's done some scratches and will try and put a couple of those things together. They might have some things down here; I can check and see if we have anything. What we have a lot of is my background stuff, which is absolutely meaningless in terms of what you want. So the short answer is no, we don't have anything.

MORRIS: You've been with him for a number of years?

F.T.: Fourteen years. And I started out as a student intern down here, and now run his capitol office.



MORRIS: Really?

F.T.: So I kind of worked my way up through the ranks.

MORRIS: Going to college in between, or . . .

F.T.: I was actually in graduate school by that time. I already had two children when I started working for him, so I had already graduated as an undergraduate from New York University and came out here. I was in a master's program in political science. They had a field class, and I didn't know one legislator from the other. I was from New York, you know. And somebody said, "Oh, Petris is a good guy, why don't you go intern over there for a quarter?"

I said, "That's great," and I never left. That was in 1973.

MORRIS: You could just pick your legislator?

F.T.: You could. I had to come in for an interview. I had a supervisor here, and a couple of years later. . . . In the interim, I was going to graduate school, and I had a little job with [then Assemblyman] March Fong [Eu], but I got to know everybody here quite well, and actually stayed for two quarters because I enjoyed it so much. Then I worked for March when she was the assemblywoman in Oakland for about two years, and, lo and behold, the very woman who supervised me here in this office was leaving. She called me

and said, "You've got to have this job, you're the one to do it," and everything else. So I came in and applied, probably with fifty or sixty other people, and because Nick knew my work, he called me at home and said, "Do you want the job?"

So I started as a field rep. [representative] and stayed here for about seven and a half years as a field rep. And then I kind of got burned out. You can do only so much constituent work; it's so much social work down here. You know, you're dealing with all the Mary Joneses in the world who have one horrible problem after another. I mean, Oakland is tough. And I just really felt like I couldn't do that kind of work any more. I guess I have general impatience with the bureaucracy, is overcoming.

So Nick said, "Why don't you come on up to Sacramento and work on legislation?" I went up as his A.A. [administrative assistant] and did his [Senate] Rules Committee work, because he was on the Rules Committee. And then the chief of staff left, and he put me into that. So that's where I am. I've been there now for six years.

MORRIS: The Rules Committee is one of the things I wanted to talk to him about. It's not very well known. It has a sort of an aura of mystery from outside the legislature.

F.T.: That's good. [Laughter]

MORRIS: Well, for the record, how would you characterize the responsibilities of being on the Senate Rules Committee?

F.T.: Well, the Rules Committee is considered the most powerful committee in the senate, and it is because it really does establish and develop and implement the rules of the house. You understand, on the assembly's side, that's [Speaker] Willie [L.] Brown [Jr.]'s show; that could be a different planet, it could be a different state. We have nothing to do with them; we don't look at their rules, they don't look at ours. So the Senate Rules Committee establishes all the rules for the house. And it is the only committee that is elected by the full body. So Nick then has the prestige of the entire--of all of his colleagues to vote him in every four years, for a position on Rules. Now, I think . . .  
[Petrus returns]

PETRIS: Two years.

F.T.: Every two years. If the president pro tem position changes, then of course everything kind of gets a little thrown up in the air, but [state Senator David] Roberti's been in there now. . . . Roberti's been in for what, six years?

PETRIS: I think so. I was there under his predecessor [state Senator James

Mills], too.

F.T.: Yes, and Nick was voted in consistently, but that wouldn't necessarily be the case if Roberti was replaced.

PETRIS: That's right.

F.T.: But Nick has had the full confidence of thirty-nine other colleagues. Do you want to continue with him, since he's here?

MORRIS: Yes, thank you very much.

F.T.: You can call me if there's any fill-ins and things, we can talk. Let me think about--[to Petris] do you know what she wanted? This will give you a smile. She wanted a copy of your speeches.

[Laughter] I said, "Weellll, that's not going to be easy."

MORRIS: I've . . .

F.T.: You've written a couple of them finally, because people begged you to write things out.

PETRIS: Yes, I had to scrounge around and find a couple . . .

MORRIS: Do you tape them at all?

F.T.: Well, you don't know how brilliant they're going to be until after they happen, and then you go, "Damn, why didn't I have my tape recorder!" [Laughter]

PETRIS: Well, actually, I've tried it a couple of times; it went real flat.

F.T.: Yes, he goes flat. If he reads it . . .

PETRIS: It has to be done without my knowledge.

MORRIS: But I've heard you characterized as being a terribly well-organized person who's got all these facts and figures, and the way you want to deal with the issues right at your fingertips at all times.

PETRIS: Well, that part as far as the speech is true. I do prepare. I think about a speech for a week ahead of time.

F.T.: He thinks about it, though; it's not written.

PETRIS: But I never write it out.

F.T.: He mulls it, and he pines over it, and he frets over it.

PETRIS: And I check things out here and there. And of course, one of the key checkers is Felice. She's the one who dives into the field, or wherever it happens to be, and comes up with all the vital information, puts it all together. But the fact is that the most important part to me is thinking about the subject and the people who are there, and what their interests are, where they're coming from and so forth. That's during the day, when I'm driving the car, or. . . . That's a continuous thing.

F.T.: That's where the brilliance comes from.

PETRIS: Somebody said that he was asked how much time he spent preparing a speech. I think it was Woodrow Wilson. The answer was, "Well, if it's a half-hour, I don't spend much time on it. If it's

five minutes, I spend a lot of time on it." [Laughter]

MORRIS: That's wonderful. OK, we were talking about the election in Greece . . .

PETRIS: Going to Greece, yes. Well, after a series of things that resulted in my never getting to go on this mission after a tremendous amount of training . . .

MORRIS: Were you in the military government program in the army?

PETRIS: No, I was in artillery, and then I went into OSS, and got all the super-duper training for going overseas. I had two or three missions that were canceled under very dramatic circumstances that probably don't affect this. But one of them, I remember, I was supposed to go to China to interrogate Japanese prisoners. I had been sent to school by OSS and I learned Japanese. I spoke it fluently at one time.

And, of course, it had a military tilt, military nomenclature, to interrogate prisoners. They canceled my mission at the eleventh hour literally. I was supposed to leave from Washington to go over to Karachi, India, and from there over the hump into China. The plane that took the rest of them cracked up in Karachi. I was the only one pulled off the mission.

I just had a whole series of things like that happening during

the war. I don't know, the good Lord saved me for something. I should have run for president. [Laughter]

Another time, I was in Texas, just finished training in anti-aircraft artillery attached to a division that was training for the Philippine invasion. That's what it was supposed to be. I went home for about five days' leave preparatory to shipping out, went back to my base in Texas, the whole outfit is gone. All the anti-aircraft artillery people are gone. Well, where'd they go? Well, they went back to Fort Benning, Georgia. Well, that's an infantry . . . . That's right--they were all converted to infantry, and they were sent to France for the Battle of the Bulge. I don't know if very many of them came back. We took quite a beating there.

MORRIS: Heavy casualties.

PETRIS: Yes, very heavy. I said, "Well, you knew where I was. Why didn't you inform me?" "Your name was not on the list." I said, "What do you mean, my name was not on the list? It was the whole outfit!" He said, "Yours was the only name that was not included." Now, you explain that to me. I don't know.

There was a series of things like that that happened to me during the war.

MORRIS: They do say luck has a great part to play . . .

PETRIS: Yes. Anyway, after a lot of maneuvering when I learned there was going to be this mission, I was included on this mission along with my brother, and four or five others of Greek descent, to go to Greece as a team, as part of the Allied Mission for Observing the Greek Elections. That was an agreement at Yalta in which the Allies offered to the liberated countries whenever the war ended, especially those that hadn't had any elections for years prior to the war, that if they wanted the Allies to monitor their elections to make sure they were on the up and up, they would send in teams. And that was Russia, England, France, and the U.S.

Well, as far as I know, the only one who asked for it was Greece. When their civil war ended, they had what was called the Varkiza [ ? ] Agreement in which they asked that those teams be sent in. So I went in as a liaison officer between the mission and the local government people. The purpose was to observe the first post-war parliamentary elections, and the head of our mission was Ambassador Henry Grady, who later became ambassador to Greece, and ambassador to India.

MORRIS: He's a distinguished figure in Democratic politics, isn't he?

PETRIS: Well, his wife [Lucretia del Valle Grady] was more active than he was. She was very active. He had been dean of the College of



Commerce, at U.C. Berkeley [University of California, Berkeley], and appointed by [President Harry S.] Truman to a number of things later, and that was one of them.

I was in a section of Greece--they divided it into areas--and I was in the southern part, in the Peloponnesus and Tripolis. The chief of mission from the U.S. was William W. Waymack, who was a Pulitzer Prize-winning editor of the Des Moines Register and Tribune, marvelous, marvelous guy. He was appointed by Truman.

MORRIS: That must have been quite an experience.

PETRIS: Yes.

MORRIS: You had then graduated from Cal?

PETRIS: Yes. That was my first visit to Greece, and we were given leave after the mission was over to go see our relatives. So my brother and I went around and saw our relatives for the first time. Then when I got back, we got discharged and I decided to go to law school on the G.I. Bill,<sup>1</sup> and I went to Stanford law school.

MORRIS: Had you been thinking about law school before then?

PETRIS: Yes, somewhat. My father had been leaning on me for years to

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<sup>1</sup>World War II veterans' education legislation, familiarly called the G.I. Bill after the official designation, Government Issue, denoting uniforms and equipment issued by the military; "G.I." also widely used slang term for enlisted personnel.

become a lawyer. I didn't want any part of being a lawyer, but that kind of subliminally crept in, I guess. I went back to Cal, and still in uniform, I went to see my journalism prof. [professor], who was then head of the department. I told him I was thinking very seriously of going to law school.

He said, "Well, if you want to stay in journalism, you can stay here. I have a teaching assistant's position open; I'd be happy to have you take it. There's a job down in Santa Barbara or Ventura in a small paper. . . . " He had always told us, the way to break into journalism is to go to work for a small newspaper where you do everything. You set the type and you write the advertising and you write the editorials and you write news, and you really get to learn, and you do the classified ads. He always told us, "That's the way you want to start. You really get the foundation."

He said, "There's a job opening there; I got an inquiry just recently, and I'll be happy to send you down there." But I decided to go to law school. That was the end of my journalism career.

MORRIS: Who was the professor, the journalism professor?

PETRIS: [ ] Desmond.

MORRIS: Somebody from down around . . .

PETRIS: He died a few years ago at age 86 or so.

MORRIS: Somebody in Santa Barbara is working on a history of the  
[University of California, Berkeley] School of Journalism.

PETRIS: Really?

MORRIS: Yes.

PETRIS: Maybe one of my classmates.

MORRIS: I have his name in my files, so I'm collecting journalism school stories, too. Was the journalism school training useful in law school and later on in your . . .

PETRIS: Well, yes, I think so. They told us. . . . See, I wasn't planning to go into law, so I didn't take pre-law, so-called. But they've always told us that for law, your best bet is a broad background. You need to know history, and poli. sci. [political science], and economics. You don't even need to learn Latin, they told us, so do not worry about not having been . . .

MORRIS: But you knew Greek.

PETRIS: But Greek was helpful. The journalism thing I think was very helpful. Journalists, like lawyers, have to learn to assemble facts and digest them, and reporting, you get a huge amount of facts and boil them down to a story. A lawyer does that too: he gets a huge amount of facts, and he boils it down to an essay that's

called a brief, a very special kind of writing.

MORRIS: When you were in the law school, were you focused on practicing law, or did you think of it again as something that might work into a public affairs kind of . . .

PETRIS: No, at that time, I was just focusing on practicing law. I just wanted to practice law in my home town. I didn't want to join any big law firm. I went around interviewing, but I decided to start out on my own, and I did, just my own office. Kind of sub-renting space from another lawyer. I didn't make a decision to run for. . . . Although I got active in politics right away. I got out of law school in '49, and took the bar in '49, but we didn't get the results until '50, I think January. So I was admitted to practice in 1950.

And in '50 was the [Congresswoman] Helen Gahagan Douglas campaign for U.S. Senate, that was my first one. I rang doorbells for that and did everything I could. [Then Congressman Richard M.] Nixon defeated her.

MORRIS: Was there something special about Mrs. Douglas, or was it simply . . .

PETRIS: No, it was the first big Democratic campaign, and the first opportunity to become active. Yes, I liked her very much from

what I'd read about her. I thought she was a terrific member of Congress, and certainly far preferable to Nixon. I had kind of made a specialty out of learning about Nixon. I mean, I knew more about Nixon and his underhandedness and his shenanigans than anybody around. I made a lot of speeches about Nixon during those days, oh, yes. Just a terrible person from day one, I'll tell you. We never have come out of that. I just developed a terrible dislike for him.

MORRIS: Do you remember what it was about Nixon that turned you off?

PETRIS: Yes. Right from the beginning, the man was totally unethical. He would do anything to get elected. He ran against one of the great members of Congress of all time: [Congressman Horace Jeremiah] Jerry Voorhis, when he first got elected. I read about that story, how he circulated fliers on red paper to emphasize his attack on Voorhis as a "communist." He lied extensively about Voorhis. He was unmerciful. And Voorhis I later got to meet; he was one of my heroes.

One of my proudest achievements is, I have an award from the National Cooperative Housing Organization, which gives a national award to a person who does the most for cooperative housing in America. It's named the Jerry Voorhis Award. One of

my predecessors was [U.S. Senator] Hubert Humphrey. I have that at home.

I guess the single most repulsive thing about Nixon to me was his total lack of ethics. He'd just do anything to get where he wanted to go, and his philosophy was, and still is to this day, that anything goes. The means is justified by the end. And he didn't realize when he got to the White House that that wasn't the end. That was just the beginning. Yet, his mindset was such that he had to be conniving all the time, so he continued to connive in the White House, instead of trying to elevate himself to a status that showed an appreciation of where he was, and things he could do, of the office, the majesty of the office.

[Albert] Camus, I think, said it the best in one of his writings. He said, "There are no ends. There are only means." And I've quoted that many times in talking about Nixon. And I've asked people, "When you're ready to lay down your life's burden and go on to the next world, and you look back, what are you going to talk about? Are you going to talk about the end or the means? Your personal style in going from point A to point B?"

[End Tape 1, Side A]

[Begin Tape 1, Side B]

MORRIS: In those days, Oakland was generally considered to be a pretty strongly Republican town. What was it like to be energetic and a Democrat there?

PETRIS: Well, it wasn't easy. It wasn't only in those days; all through the Depression, Oakland was a strong Republican town. The Knowlands, and who was it? Mike [Michael] Kelly. There were two big political leaders on the Republican side, Kelly--an unlikely name for a Republican in those days--and [Joseph R.] Knowland, and they were bitter rivals. In those days, anyone who wanted to run for a partisan office locally had to go get the anointment from Joseph Knowland at the Trib. [Oakland Tribune]. If you didn't get that, forget it.

But Republicans made you feel dirty. If you weren't a Republican, they made you feel dirty. I remember as a junior high school youngster, I never forgot it, I overheard on a downtown street in front of a store, two very nicely dressed women, with the hat and the gloves and the things that they did in those days, one of them severely reprimanding the other when she was told where she had bought a particular item--a purse, or whatever she was showing her friend--"Don't you know the owner of that store is a Democrat?! How dare you shop in his store!"

MORRIS: Oh, dear. That's kind of amazing.

PETRIS: And to this day, I know a large number of Republicans who carry that philosophy with them: if you're a Democrat, you're just not entitled to my patronage or association or connection in any way. It's a bad attitude. It's a horrible attitude. A few years ago, I encountered it in Sacramento. At least, that's a partisan arena. But I had a friend who worked in the capitol, a young Greek woman. I knew her for years through the Greek community. I was in the middle of a campaign. My people called for volunteers, and they needed people to address things that were going to be mailed.

So she volunteered and took a bunch of that home and addressed it at home in the evenings and on weekends. Not at work. Her boss found out and fired her. He was a Republican. I had to scrounge around and try to get her on somewhere. I did, thank goodness. But you know, that kind of attitude has been standard in my dealings or my observations of Republicans since I was a little boy. Extremely narrow-minded and intolerant people. Not all Republicans, but a very high percentage.

MORRIS: Yes. As a boy growing up, were you aware of Earl Warren when he was district attorney, and . . .



PETRIS: Yes. And him I always admired. I got to admire him a lot more when he went on the [U.S. Supreme] Court, of course. He was one of my heroes; thought he was a great man.<sup>1</sup>

MORRIS: He'd left by the time you got to Sacramento.

PETRIS: And he didn't have that kind of partisan image. Another guy who loved him dearly was [Governor Edmund G.] Pat Brown [Sr.]. They were very close personal friends.

MORRIS: Yes. You were active, I understand, in the [California] Democratic Council when it was getting started.

PETRIS: Yes, in the early days.

MORRIS: How did you get involved in that?

PETRIS: Well, it was easy. As an active Democrat, I belonged to a club and joined the club movement through that club, 15th Assembly District Democratic Club. When I was first elected, the assembly district was number 15; it covered East Oakland and Castro Valley. East Oakland, starting from about Fruitvale, and going out. Maybe

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<sup>1</sup>Senator Petris added the following in his review of the transcript: "He was very unpopular with the right wing of his party. They felt he was too liberal. Once in an appearance before the Washington D.C. National Press Club he was asked about being called a socialist by some of his California critics. His response was, 'Well, you know how that works. When the government helps you that's socialism--when it helps me--that's progress!' I had the privilege of visiting him one time in Washington when he was Chief Justice of the United States."

a little below, I don't know. . . . No, it was 14th Avenue, I believe, going out.

So I went to the convention, the second convention. I missed the organizing one, which was a conference at Asilomar. But I went to the first major convention after that--either the first or the second and before long, I ran for one of the offices. I was elected vice chairman when [Alan] Cranston was elected president of the organization; I was one of the five vice presidents. We had it divided into regions, from San Diego all the way to Crescent City. I covered the [San Francisco] Bay Area and north.

I defeated the incumbent. There was an old-timer from San Francisco who was the first one to occupy that office. I ran against him. I was elected, thanks to a lot of help from George E. Johnson of Sacramento. So I became very active in the council for years after that.

MORRIS: Was that a good organizing base, or . . .

PETRIS: Yes. The vice president's job was to go out and create new clubs, organize new clubs, encourage people who were doing it, bring them information and stuff from the board of directors. I did a lot of that, and did a lot of running around all over the Bay Area and all the way up to Jackson. I remember going to Jackson and

speaking to people up there.

MORRIS: Really, up in the foothills.

PETRIS: Yes.

MORRIS: Who were the people here in the Bay Area who were the best people to work with from your point of view, in organizing Democrats?

PETRIS: Well, I don't remember all their names, the contemporaries who were also elected. For example, in every congressional district, we had a CDC director and I worked closely with the director of each congressional district. Martin Huff was very active at that time. He was the first one. . . . He was the one who really encouraged me to run in the first place, he and [Robert] Bob Crown, who was an assemblyman at the time. Both of them were very active in doing that. [Thomas] Tom Saunders was early in that; he's still living in Berkeley.

MORRIS: Is he?

PETRIS: I think so. Tom Saunders is still around. I ran into him yesterday in San Francisco at lunch.

Oh, there were a flock of them. Now it's hard to recall their particular names.

MORRIS: I came across [ ] D. G. Gibson's name in some meeting you were

involved in, and I wondered how close you and he worked together.

PETRIS: Yes. Well, we tried to work together. I always liked D. G., but there was a lot of friction in the Democratic movement at that time. Those of us who were in East Oakland looked at West Oakland as a continuing story of lost opportunities. [William] Byron Rumford was the assemblyman, and the Democratic registration was so overwhelming, he never seemed to have to make any effort to get elected, and consequently on the vitally-needed votes for statewide contests, we weren't getting enough people to vote in that district. So we used to send volunteers. We covered our areas pretty darn well. We'd send volunteers into his district, and he always resented it. And D. G. Gibson was his lieutenant, and it was his responsibility to run that area, and he considered us intruders.

We pleaded with him to set up something, and they said, "Don't worry, we'll take care of our district, you take care of yours." And we always thought we fell far short of the total that we needed, not because Byron was in any danger, but because we needed those votes to make up for other areas of the state.

MORRIS: Is your recollection that in West Oakland, people just voted the

assembly district and didn't vote for statewide office?

PETRIS: No. That's not it. But those who did vote at all were very few, compared to what the potential should have been. It was always a small turnout. Now, they were loyal; they had a very high loyalty to the Democratic party. That's why we wanted more of them to turn out, and that's why we sent volunteers in to ring doorbells and put the door hangers on and all that stuff, to increase the total vote. Which in turn would have enhanced Byron's own vote, of course.

MORRIS: Was it a problem of getting black residents to register, or was it . . .

PETRIS: Both. Yes, both for registration and voting. The most effective way would have been to have somebody like D. G. and Rumford publicly appealing. Now, Rumford always did it when he made speeches, but he didn't take the time to have Gibson set up a really extensive group of volunteers to do it.

MORRIS: When you and Martin Huff were talking about running for office, were you thinking of any specific office? Did you know that [Speaker of the Assembly] Luther Lincoln was not going to run again, or . . .

PETRIS: No. The first time they came to me, Martin Huff was among

them, there were a few others. I'd been very active in the club movement, and they felt I was ready to run for assembly. I told them I wasn't ready.

MORRIS: Why did you feel that way?

PETRIS: Well, I had just started practicing law in '50, and they started asking me to run in '54. It was only four years. I was married in '51. I had very little in the way of assets and resources to sustain me in a campaign that was going to take me away from the law office, for example. So I wanted to get a few more years under my belt, both to get experience and to build up some kind of income. I thought I could serve better if I didn't have to worry about money pressures.

In '54, I also turned it down because I had been appointed countywide chairman for George E. Johnson, who ran for state treasurer against an incumbent named [Charles] George Johnson.

MORRIS: Oh, that must have been a very difficult campaign.

PETRIS: Yes. And George E. pulled the highest number of votes in the state. He had more than--I forget who ran for governor that year--Richard Graves?

MORRIS: Yes, good memory.

PETRIS: But anyway, he was the top Democratic vote-getter on the whole

ticket that year, statewide. So I didn't feel like I could run that campaign and do my own also, so that's one of the reasons I didn't run.

In '56, they asked me again, and I wasn't ready. '58 I decided to go. It turned out to be a very good year, because that was [Attorney General] Pat Brown's big victory over [U.S. Senator William F.] Knowland, and Lincoln in the meantime had stepped down, had announced that he was going to step down.

MORRIS: What was that all about? He was speaker of the assembly.

PETRIS: Well, I met him later. He was the speaker, and a very, very fine man, totally ethical and honest, good speaker. I talked to him about it later when I got to know him, and we were very friendly. Whenever he came up to Sacramento, he'd come by to see me and we'd chat. I'd ask him--he was very helpful to me, and just give me pointers.

MORRIS: Even though he was a Republican?

PETRIS: Yes, he was a Republican, but not the type, the breed that I was talking about. Mind you, I'm not branding them all that way.

Now, the way he explained it to me is reminiscent of what's happening today with Willie Brown. He was elected speaker by just one vote, and the key vote, by the way, was [Assemblyman]

Jesse [Marvin] Unruh's, who was a freshman legislator. So he [Lincoln] said to me that, "In the morning when I would get up and look in the mirror and shave, I would say, 'Good morning, Mr. Speaker,' not knowing if that night I could say, 'Good night, Mr. Speaker.'" [It's like that] when you're in there with a one-vote difference, and the acrimony and the bitterness and the fighting, mostly between Republicans, because there were only a handful of Democrats at that time.

The Democrats had not had a majority in the legislature in the whole century. There had not been a Democratic majority in that century, when Lincoln was speaker. It wasn't until we got elected--Pat Brown and the big [1958 victory]--that we got a Democratic majority. People don't realize that. They look to this state as a big Democratic state, and now we lose the presidential elections. We've always lost those elections! All through this century. We've only had three Democratic governors in this entire century, three. Eighty-eight years. I don't call that a Democratic state, you see? OK.

So, most of the infighting was between factions of Republicans, and Lincoln said, "It's a terrible way to try to run a railroad, to be the head man and know that any member out there



PETRIS: who had voted with you could switch [snaps fingers] any day and dump you. Every single one of your supporters had the power to dump you," and there was so much intrigue going on all the time that, you know, the head of the king never rested easily. So he said, "I'm not going to put up with that anymore." And rather than just resign from the speakership and stay on, he just left.

MORRIS: Leaving a huge vacuum.

PETRIS: Yes. So the things that are going on now are not anything new at all. In fact, as he described it to me, I'd say they were worse during his reign.

MORRIS: So, how much time did he leave you to plan your campaign?

PETRIS: Well, I think he announced it fairly early. There was plenty of time. It wasn't a last-minute thing. And that was, of course, very influential in my own decision. Running against an ordinary incumbent is pretty tough. But to be [running against] the speaker of the assembly is a lot tougher. He carried a statewide thing with him.

So he stepped down and left it wide open. Then my Republican opponent was [Bernard] Bernie Sheridan, very, very nice guy, a lawyer from East Oakland, who had previously served in the assembly for about ten years. But he had been out for ten

years, and I think the reason he lost is that he just didn't realize how much the district had changed in that intervening period.

MORRIS: In the ten-year period?

PETRIS: Oh, yes, it was just enormous change. He just lost touch, even though he was a practicing attorney in a business neighborhood. He wasn't downtown; he was out there somewhere, and still where the heart of his support had been before.

MORRIS: You'd grown up there. What kinds of changes had occurred?

PETRIS: Well, I grew up in the west. I grew up in West Oakland.

MORRIS: OK. But then when you started practice and got married, you settled out in the east?

PETRIS: Yes, I was in East Oakland. My parents had moved to East Oakland after the war. I didn't know very many people there.

MORRIS: So it was a postwar change out there.

PETRIS: Yes, big postwar change. Right.

MORRIS: Different kinds of people moving in?

PETRIS: Yes. More and more Democrats, I guess.

MORRIS: California newcomers, from other states in the United States?

PETRIS: Yes, a lot of them were California newcomers, others from around

. . .

[Interruption]

MORRIS: And what kind of a constituency did Sheridan think it was?

PETRIS: Well, I think he was one of the good old boys, the old Republican machine, businessman's orientation as opposed to the blue collar. There were a lot of prominent businessmen out there who carried the Republican party for years and were very active. The service clubs sat--Rotary and the Kiwanis--and they were all in a certain circle, and their paths crossed all the time.

He didn't realize what was going on at a lower economic level. Labor, for example, was starting to emerge, and feeling its oats, and getting more and more active. They were very helpful.

MORRIS: By then there's the labor election committee, COPE [Committee on Political Education] . . .

PETRIS: Yes, COPE is being formed. I got a lot of help from them. And oddly enough, I'll tell you who helped me the most: it was a fellow who had worked for Lincoln for years. Oh, my goodness; he was a lawyer in East Oakland, too. Marvelous guy. I don't remember how I met him, but he came to me one day and he offered to help me in the campaign. He said he ran all of Lincoln's campaigns. He was dynamite; he was just tremendous. I can't remember how it was that I met him, I don't know whether he just popped into the office one day and said, "I'm so-and-so," or

whether somebody introduced me.

His name was Lyle Eveland. He knew everybody in the district, and he was particularly good among the ethnic groups. He was married to a Portuguese woman who was an officer in one of the Portuguese organizations. Now, I had my own tie-in with those organizations, because at that time we were living in East Oakland across the street from Montgomery Ward in a building owned by the UPPEC [ ], one of the large statewide Portuguese women's organizations.

We lived in a flat on the second floor; their office was in front of us. We were newlyweds, and the women who worked in there, who were all of Portuguese descent, became mothers for my bride [Anna Vlahos Petris], who didn't know how to cook at all. Any time she'd have a problem, she'd run into the office, tears streaming down her face, and they'd all run into the kitchen to help her out.

But his ties in that community were very extensive. He had them in the Italian community, in the Chinese community, Filipino community, so he developed a system of postcards which we mailed out. We had the most fantastic cross-section of mailings at the least expensive rate--not the glossy brochures that you see

PETRIS: today, but just plain postcards that said . . .

MORRIS: "Dear friends . . . "

PETRIS: Yes, "Dear friend, we admire Nick Petris, and we are strongly supporting him to succeed Luther Lincoln," tying in, you know, as if Luther Lincoln was blessing me, I guess, "to succeed our friend Luther Lincoln as the assemblyman from the 15th District. We strongly urge your support." Now, under there would be six names of the past presidents of all the Italian-American organizations in Oakland, OK? A similar card for the Portuguese, with appropriate names, with their signatures, and for every ethnic group.

MORRIS: That's sort of early targeted mailing.

PETRIS: Yes, right. It was very effective. I had a very good campaign. First year, you know, you're. . . . I had a large number of volunteers; I had yard signs; I rang an enormous number of doorbells. Coffee klatches, he helped me organize coffee klatches. That's the way to campaign. The way we're doing it today is the royal pits. People really got to look you over, and they had plenty of opportunities to come and meet you personally. No matter where they lived, there's a chance that somewhere in that neighborhood, there's a coffee klatch, with advance notice a week

or two ahead of time, "Come to so-and-so's house and meet the candidate, have a cup of coffee with him."

Anyway, Martin Huff ran the campaign, and he did a tremendous job. I don't think Martin knew this fellow before I met him, either. He just came in. He was marvelous.

MORRIS: He sounds like he had a really nonpartisan interest in the district.

PETRIS: Yes, that's right.

MORRIS: Where did Myrtle Williams come in?

PETRIS: Well, she was one of my opponents in the primary the first time around, and she was part of the old pensions . . .

MORRIS: George McLain . . .

PETRIS: George McLain's, and [Francis] Townsend. Wasn't it Dr. Townsend? Thirty Dollars every Thursday, the Ham-and-Egg Plan? And she was very powerful in that movement, and . . .

MORRIS: She'd been director of social welfare [California Department of Social Welfare] . . .

PETRIS: She had been director of social welfare by statute.<sup>1</sup> She was voted in, her name. Later we amended the law so that couldn't be done again.

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<sup>1</sup>Proposition 4 (November 1948), which was repealed by Proposition 2 (November 1949).

MORRIS: It was a ballot measure.

PETRIS: It was a ballot measure, yes.

MORRIS: In '48, and then there was another one that removed her from office in '49.

PETRIS: Yes. So I got to know her afterward, and we were friendly rivals, always got along very well with her.

MORRIS: I was interested that she was based here in Oakland.

PETRIS: Yes.

MORRIS: Doing what?

PETRIS: I don't know what she did, to tell you the truth. I don't know what her full-time occupation was. I don't remember.

MORRIS: Was she a viable candidate?

PETRIS: Yes, she was attractive, physically attractive, witty, knowledgeable. Our paths crossed many times, because we were fighting each other in the primary, not in the general. And then there was another fellow by the name of Kelly--was it Kelly? Yes.

MORRIS: Part of Mike Kelly's group?

PETRIS: I don't think he was part of that. His name was Daniel. He was a Democrat. The other Kelly was a Republican rival of Joseph Knowland.

I remember the first doorbell I rang, the woman smiled at

me very kindly and said, "Young man, I would love to vote for you, but you have come to the wrong place at the wrong time. One of your opponents is my brother." [Laughter] That was Bernie Sheridan's sister.

MORRIS: Oh, my. But was Myrtle Williams involved in the. . . . She went to the Democratic county nominating convention.

PETRIS: Yes.

MORRIS: Was she active and visible otherwise in Democratic circles?

PETRIS: No, I didn't used to see her much in the club movement. I would run across her here and there, but not one of those intensive day-to-day, check into the headquarters and go to these meetings and all that. She was from an older era and kind of did her own thing. But she had a lot of friends and supporters.

MORRIS: Well, I was interested that, with the persistence of the organization . . .

PETRIS: The seniors advocate, George McLain . . .

MORRIS: George McLain . . .

PETRIS: Oh, yes, they hung in for a long time. He did a popular column, you know, in several of the publications that the seniors published. Ultimately, of course, he supported her very strongly, but in all the later elections he supported me. Always did, yes.



MORRIS: Did you have a sense in talking with her that there was a practical plan there, or was it. . . . At the time, it was billed as sort of a flaky, unpractical approach to senior concerns.

PETRIS: Yes, some people criticized it. I don't remember enough detail from discussing it with her. My impression, as I remember now, was that it was part of a very strong movement in the thirties, going back to Upton Sinclair and Culbert Olson and, of course, George McLain emerging as a leader that, I thought, had to be contended with. I knew enough about the demographics on the horizon that the seniors were going to be an increasing percentage of the population, and I became very much interested in senior issues--not only because of her, but because of the scheme of things as they existed.

People, after I got elected and carried a lot of legislation to help seniors would ask me, "Why?" I said, "Well, I hope to be a senior someday myself." [Laughter]

MORRIS: Were there already sizable increases in the senior population here in the district?

PETRIS: I don't think they were as dramatic as they have been in the last five years, but a pattern was visible. The experts were predicting, yes. I don't know whether it was based on the medical discoveries

that were being made and all, but they were constantly projecting a longer and longer life, which of course meant more and more people, bigger percentage in that age bracket.

MORRIS: Did you do your own research, or did you have somebody keeping track of statistics?

PETRIS: Well, I did a lot of my own, but I had volunteers who were experts in various fields. They'd come to me and they'd say, "Hey, I can help you with this and that."

MORRIS: Really? People from Hayward State [California State College, Hayward] and the university, and places like that?

PETRIS: Well, some. . . . I don't remember Hayward State, but there were some from U.C. Berkeley. And there were others who were not connected with the university, but were up to date on those kinds of things.

MORRIS: Who did the finance? Was that hard to raise the money in those days?

PETRIS: First, it wasn't so bad, because it was my first time around, and the solid core came from personal friends; the Greek community was very helpful. It didn't cost all that much. Our first dinner we had was at the Norwegian hall on MacArthur, what's the name of that? It was a Norwegian hall, but the name of it was the same

name as a woman who ran so many times--Bjornson Hall, on MacArthur, between Fruitvale and Lincoln. It was a spaghetti feed; a lot of the food was donated, and we charged five dollars. All volunteer labor, you know, that kind of old-fashioned thing. It was great.

So we raised an adequate amount of money. I didn't have a deficit. We put out a lot of material.

MORRIS: Did Pat Brown come in and campaign here?

PETRIS: Oh, yes, he would campaign vigorously all over the place.

MORRIS: Had you gotten to know him during the . . .

PETRIS: Oh, yes, prior to that, as attorney general and in the CDC, I'd gotten to know him pretty well.

MORRIS: In your law practice, did you do business with state agencies . . .

PETRIS: No. Well, yes, I had a lot of mom-and-pop store kind of clients, so I dealt with the ABC [Alcoholic Beverage Control Department] quite a bit. People who had a liquor license who might be accused of serving a minor, or who needed to make some kind of change in their. . . . Maybe they added a member of the family to the business, maybe they incorporated it and they had to go through a change process with them. A lot of contacts with the ABC in those days.

Also, on the sale of a business, as a lawyer, I would do the contract and supervise the escrow. Either do the escrow myself, or have it done by a bank. And so going through their maze of regulations, which even then were pretty considerable, I got to know people. I dealt with the state; I dealt with the ABC; I dealt with the Board of Equalization; I dealt with the Franchise Tax Board. Those three, primarily. I also dealt with the Contractors' [State License] Board, which had offices in Oakland, on behalf of homeowners who had a complaint against contractors. I did a lot of that. There seemed to be a lot of that going on in those days. Still is.

MORRIS: Yes, that's sort of a chronic problem, I guess. What kinds of things did you expect to really involve yourself in once you got elected?

PETRIS: Well, I'd have to go back and look at my material, but I know I was always interested in improving the education system. I was interested in a fair and equitable tax system. I was interested in the environment, although I didn't start on that until after I got in and found out more about the problem.

MORRIS: Smog had reared its ugly head in . . .

PETRIS: In the fifties, yes. When I was elected, Byron Rumford had

already been working on it as head of the [Assembly Public] Health Committee. He did some very good work on it, laying the foundation. I got into it in the early sixties, and the middle sixties. My first environmental thing was not air pollution, it was San Francisco Bay, the bill to save the Bay.<sup>1</sup> I got that from the three women from Berkeley, wives of professors. Professor [Charles] Gulick [Esther Gulick] . . .

MORRIS: Regent [Donald] McLaughlin [Sylvia McLaughlin] . . .

PETRIS: Yes, McLaughlin, and Kerr. [Katherine] Kay Kerr--wife of [University of California President] Clark Kerr. They're the ones who got me started on that. And later, I got into air pollution, and had a running battle for many years with the automobile industry on tightening the standards for air pollution. I had that bill to eliminate the internal combustion engine altogether from the streets of California, unless it met certain standards of cleanliness. The third area of environmental concern was pesticide. Those were my three primary environmental concerns, fairly early on.

MORRIS: Well, the San Francisco Bay and the air pollution make sense for

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<sup>1</sup>A.B. 2622, 1963 Reg. Sess.

an Oakland assemblyman. Pesticides, were we . . .

PETRIS: It was a farm-workers issue. I just read a lot about the ravages of pesticides on the health . . .

[End Tape 1, Side B]

[Begin Tape 2, Side A]

MORRIS: Had the farm workers been organizing in Alameda County?

PETRIS: No, I had no connection with them. I carried a number of bills trying to improve the life of the farm workers before I ever met one of them. Ultimately, I met Cesar Chavez, who came to support the bills, and he brought some workers with him whose bodies had been scarred. To me, it was a basic and fundamental American right, to have proper protection from those kinds of hazards on the job. I felt it was a very dangerous health menace.

A lot of my legislation is motivated by a passion for good health, the old ancient Greek maxim of a healthy body and a sound mind. And the farm workers. . . . I learned that if you wanted to get sick on the job, the quickest route to that result would be to be a farm worker in California, far more dangerous than steel workers, flagpole sitters, police, any kind of occupation you want to mention. Their accident rate and their disease rate was far below the farm workers'. I mean, when you look at the

charts in those days, the farm worker was up here, and you had to take a big drop before you even found the next category.

And that was enough for me. For thirty years now, I've been carrying that legislation.<sup>1</sup> Well, almost thirty--at least twenty-five.

MORRIS: What brought it to your attention? Is this state public health statistics, or . . .

PETRIS: Yes, just stuff coming out of the health department. Asking doctors about it. When I started carrying legislation, other people came to me. I remember a doctor from Yolo County, who was not an Hispanic but spoke Spanish fluently and treated farm workers, he called me and came over to see me. He gave me a lot of helpful information, testified in committee.

The beauty of being in the legislature is the side product of education. You send out waves to people, and you educate them about problems. But you get waves back from people who know more about it than you do, who educate you about the problem. All they need to know is that you're interested.

MORRIS: When they know that you're interested in the subject, people come

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<sup>1</sup>One bill that was enacted was Petris' A.B. 598, 1965 Reg. Sess., Cal. Stat., ch. 882.

to you with information, say, "Can you help us," or, "I want you to know about . . . "

PETRIS: Yes, right. Or they come in and say, "I'm glad you put in that bill; I've been watching it and I think it's a great idea, and I'd like to help you. I do this and that, and this is where I can be of help."

MORRIS: It sounds like they're not necessarily from your district.

PETRIS: No, there's not a soul from my district in that fight. The other point is that when I looked around, to ask myself, "Well, why isn't anybody doing anything?" the ones who'd be the best informed, the most logical, would be the ones who had the farms in their district. But it's suicide for a legislator from a farm area to go against the farmers, and put in legislation requiring them to establish certain safeguards, modest as they were. So they never did, and they usually voted against my legislation. The Democratic leadership wouldn't permit them to carry such a bill even if they wanted to, because they're protecting them. "We want you around here. You've got a great voting record on other liberal issues, on consumer rights, on this and that, but on the farmers, you leave them alone. We don't want them turning against you." So it was a city boy that carried that stuff.

MORRIS: That's kind of an interesting and ironic contrast. Were there some



growers who had similar concerns about the health of their employees?

PETRIS: No. I never had one grower come to me and say, "Keep it up, you're on the right track." Not one. Now, some of them may have felt it, but they sure as hell didn't tell me about it.

MORRIS: There were no citizens' committees of . . .

PETRIS: Not from the farm area.

MORRIS: I have you . . .

PETRIS: No, I learned about other things in that community as a result. I learned about child labor. I learned about closing down the school illegally to release kids to go out and pick the crops. All of which came out after the War on Poverty began, and [President] Lyndon Johnson sent in his teams of bright young boys from the Ivy League law schools, who had the courage to file the lawsuits in a local courthouse that no local lawyer would ever touch. Can you imagine a lawsuit that had to go all the way to the U.S. Supreme Court to compel a local school district to keep kids in school a required number of days?

MORRIS: This started out as a California case?

PETRIS: Yes. I mean, it reflects the power of the growers up and down the valleys of this state. They just ran things their own way, and

there wasn't anybody who dared to stand up against them. Who's going to do it? That's why the city boy had to come in and do what he could.

MORRIS: Your first term in Sacramento, you were the vice chairman of the Assembly Criminal Procedures Committee. Was that a committee that you had been particularly interested in?

PETRIS: No. I got dragged into that. [Laughter]

MORRIS: Why is that?

PETRIS: Well, I never practiced criminal law, and was not particularly interested in it. My friend Bob Crown, who was one of my sponsors and mentors, an absolutely great human being, was very active in that committee. He knew about my passion for civil rights and civil liberties, and suggested to the speaker that I be put on that committee for that reason.

It was a very tough committee to be on. We were under assault all the time. From the very first year, the narcotics problem had become apparent, and there was a big campaign going along in L.A. to fight the narcotics problem on the high school campuses. I'm talking 1959, 1960. This committee was under the chairmanship of [Assemblyman] John O'Connell of San Francisco; members included Assemblyman [Phillip] Phil Burton

and Bob Crown, and later on when [Assemblyman] John Knox came up, he was put on it.

The Elks Club chartered an airplane, flew to Sacramento, and dumped one million or two million signatures in front of the committee, on petitions demanding that we pass this anti-narcotics bill, which had the death penalty for the sale of one marijuana cigarette.

MORRIS: Good heavens!

PETRIS: Now. That's how they were tackling the high school problem. It meant if a twelfth-grade student sold a marijuana cigarette to an eleventh-grader, he'd get the death penalty. Well, you can imagine what a stupid thing that was. Yet the only committee that would have had the courage to dump it was this committee, Committee on Criminal Procedures. The district attorneys were strongly opposed to that bill. They'd come around to our offices and whisper in our ears, "For God's sake, kill it! We'll never get a conviction, and it will make the whole thing a laughing-stock and reduce our effectiveness rather than increase it." But they didn't have the courage to say it publicly.

MORRIS: So it was not the District Attorneys Association bill?

PETRIS: Yes. Publicly, they were either silent, or they were for it. We

took the heat. The bill was defeated; the author immediately re-introduced it and ran it through the health committee, where it came out unanimously.

MORRIS: Support.

PETRIS: Supporting it. Went to the assembly floor, the only no votes were the same members of the Criminal Procedures Committee who had voted against it in the first place. It went sailing over to the senate; the senate killed it. That's when I got a real good appreciation of the older, more conservative senate that was less likely to be stampeded by a hot, emotional issue of the time. Pat Brown had threatened to veto it anyway; took a lot of courage on his part to do that. But he said, "That's not the way to go." And he backed up the senators who killed it.

MORRIS: Pat Brown was then struggling with his thoughts on capital punishment anyhow.

PETRIS: Well, it was still early. He wasn't having trouble with it. The trouble came later. In those early days, the public sentiment was opposed to capital punishment, statewide. It was moving.

MORRIS: At that point, the tendency was moving towards abolishing capital punishment, except for this particular piece of legislation?

PETRIS: Yes, right. So the whole movement changed, of course,

substantially since then.

MORRIS: Yes. And what do you attribute that change to? In a thirty-year period, it's swung 180 degrees.

PETRIS: Well, I think it's the large increase in the number of murders, and focusing of public attention on the murders, coupled with a strong campaign by law enforcement people and others to get tough, based on the revenge motive, more than anything else. We had many, many debates in those early years on capital punishment, whether it was a deterrent or not. We had bills year after year to repeal capital punishment. We went through the same scenario every time: big hearings, law enforcement people lined up on one side, other people on the other side, strong support from the governor to abolish it. We never did statutorily reach that; the court threw it out. But year after year, we'd have the same bills, same authors, and the same debates.

I don't know all the reasons for the change, but people got frightened. There were just too many murders, and they just got frightened, and they're still frightened.

MORRIS: Let me ask one more question for today, and then I can. . . .

When you got up to Sacramento as a freshman assemblyman, there was no speaker in the period between being elected and taking

office.

PETRIS: Yes, Lincoln was out . . .

MORRIS: Did you get overtures as to supporting anyone?

PETRIS: Oh, yes, heavy, heavy lobbying. My God, as soon as I got. . . .  
Before I even got elected, I had visitors from both camps, or three  
camps. The candidates were [Assemblyman] Ralph Brown,  
[Assemblyman Augustus F.] Gus Hawkins, the black legislator from  
L.A., and there was a third one whom I've forgotten. But it boiled  
down to those two.

MORRIS: Was Bob Crown considered at that point?

PETRIS: Oh, no. He was fairly new. He was a strong supporter of Jesse  
Unruh, and Unruh was not a candidate, but he was the one who  
ran the campaign for Ralph Brown. Bob Crown persuaded me to  
vote for Ralph Brown, and I did. Byron Rumford voted for Ralph  
Brown. I remember that he and Gus Hawkins got into a bitter  
debate on the floor.

MORRIS: Over that issue?

PETRIS: Over that issue, yes.

MORRIS: I can understand.

PETRIS: Then the caucus, the Democrats had a meeting, and on the floor  
itself. It was not an overwhelming vote; it was a pretty close

vote.

MORRIS: Who was Hawkins' floor manager on the issue?

PETRIS: You know, I don't remember, no.

MORRIS: Because Gus and Byron were about all there were in the way of black assemblymen.

PETRIS: Black members? That's all, yes. One from Berkeley, one from L.A. Then Hawkins, of course, went on to Congress. He was a very able member of the assembly. I always liked Hawkins.

MORRIS: He was the senior member at that point.

PETRIS: That's right, he was. And he's still in Congress. He's an amazing guy.

MORRIS: Yes.

PETRIS: Must be eighty years old.

MORRIS: Must be good for him. What was there about Mr. Brown's platform as opposed to Mr. Hawkins' platform as speaker that made Brown . . .

PETRIS: Well, I don't remember what the issues were. I know that it was a strong, from my perspective, north-south issue. Of course, Unruh was from the south, and he was supporting the northern. Frankly, my decision was really based on my reliance on Bob Crown, who was a very dear friend, who along with Martin Huff

was one of the two deciding factors in my deciding to run for the assembly, and I looked to him for guidance in all kinds of things. I asked him to tell me what I should ask for by way of committee assignments; every little thing that came up, I went to Bob Crown.

As a matter of fact, he saw to it that we were housed in the same office. Our offices were a lot smaller in those days. There was just a partition between our two offices with an opening there, so that the outer door was a common door for two of us.

MORRIS: One receptionist.

PETRIS: Yes, one receptionist for the two. We had known each other since high school days.

MORRIS: Had he been involved in student politics too?

PETRIS: Yes, he was student body president of Alameda High School, and I was at McClymonds, and the schools used to get together. They used to have meetings of the presidents periodically, and that's where I first met him. And then I used to know him at Cal [U.C. Berkeley], before we went into the army. So I had had contact with him from way before, and I always admired him. He was a very, very dear friend.

So if he said to me, "The good guys are going with Brown," I'm going with Brown. That's it.



MORRIS: Had he . . .

PETRIS: It wasn't an anti-Hawkins vote for me. It was just going with my friend, whom I relied on and trusted for guidance in a lot of things in those days. And for many years after.

MORRIS: How about Mr. Hawkins? You said that he was a good presence in the assembly. What kinds of things did he . . .

PETRIS: Yes, on the social issues, economic issues, social issues. He was very good.

MORRIS: That was the. . . '59 was the year that they finally got a Fair Employment Practices bill passed.<sup>1</sup>

PETRIS: Yes, that was Byron Rumford's. Yes, he'd been trying that for years, and it didn't go until the Democrats got in.

MORRIS: And you had a big class that year of freshmen.

PETRIS: Yes.

MORRIS: And Democratic, a more sizable Democratic majority?

PETRIS: Yes.

MORRIS: So, was that on your agenda as well as Pat Brown's agenda?

PETRIS: Oh, yes, absolutely. As an activist, I had gone to the hearings on it in the past, before I was elected, ready to testify. I don't think I

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<sup>1</sup>A.B. 91, 1959 Reg. Sess., Cal. Stat., ch. 121.

ever got to testify, because they had so many witnesses they never got to me. I went up a couple of times. I was very strongly in favor of it. It was on Pat Brown's agenda.

There were three or four basic things: one was elimination of cross-filing, one was enactment of the FEPC [Fair Employment Practices Commission]; oh, there were four or five major items on the agenda. We got them all passed.

MORRIS: Water?

PETRIS: And the water thing later. There wasn't as much unity on the water; there was a lot of Democratic opposition from [state Senator] George Miller [, Jr.] in Contra Costa County.

MORRIS: You said that you had some north-south feelings. What kind?

PETRIS: Well, it wasn't an iron-clad thing in my mind. But if I could favor somebody in the north, I would do it, if he were a good person. I didn't always look at the issues as north-south, but I felt the days of the northerner were numbered after the postwar boom in L.A. Well, as it turned out, Pat Brown was the last northern governor. I don't think we'll ever see one again.

MORRIS: And he moved south once he got . . .

PETRIS: He moved south, [Secretary of State] March Fong Eu moved south, [Senator] Alan Cranston moved south, anybody elected from the

north moves south. [Governor Edmund G.] Jerry Brown [, Jr.] is back now because he wants to be the chairman of the [Democratic] party. He's got a P.O. box, I guess, in San Francisco.

But I remember on one of the ugly fights relating to apportionment of the gasoline tax, they had set up some kind of ratio a long time ago when the north had the power, and the north had a disproportionately large percentage of gasoline taxes coming up north for our roads, when most of the people were down south. And on one of those issues on the floor, after a particularly bitter debate, I voted with the south. I said, "Hey, it's just not fair. They've got X percentage of the population, and you're giving them X minus Y percentage of the money. It's not right."

I remember I got all kinds of hell from a lot of my northern colleagues, but as I viewed it, it was just a matter of fairness.

F.T.: We have to close up. That's for you to take and read.

MORRIS: I thank you.

[Discussions deleted]

MORRIS: Your secretary mentioned that they are addressing several thousand of your glorious Christmas cards with the Greek

drawings.<sup>1</sup> Who picks the recipes and the drawings?

PETRIS: My wife. The whole project is hers except the greeting. I do the greeting; she does the recipes, and she does the drawings.

MORRIS: It's a very special kind of connection with your constituents.

PETRIS: It is, isn't it? It's different. It's very popular. I get comments on it all year round. I'm very pleased with that.

MORRIS: I would say. How long ago did you start doing those?

PETRIS: 1967, my first year in the senate, I believe. I believe it goes back to '67.

[End Tape 2, Side A]

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<sup>1</sup>See Appendix.

[Session 2, February 14, 1989]

[Begin Tape 3, Side A]

MORRIS: Well, we had talked last time a little bit about Bob Crown as somebody that was important to you as a young assemblyman. I was wondering about the rest of the Alameda County delegation, how closely you worked together, and what kinds of issues you worked on.

PETRIS: OK. I have a eulogy I delivered at his funeral.

MORRIS: Bob Crown?

PETRIS: Yes. You might be interested in looking that over.

MORRIS: Yes.

PETRIS: I know I have it at home; let me find out if there's a copy here.

[Interruption]

I think we have it.<sup>1</sup>

MORRIS: Good.

PETRIS: I think it will give you some insight into my relationship with him

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<sup>1</sup>See Appendix.

and my feelings for him.

MORRIS: And there were four or five assemblymen from Alameda County in the fifties, and I wondered did you work together as a team?

PETRIS: Well, I don't know if you could really call it a team, but we used to have periodic delegation meetings. They were called together and chaired by Byron Rumford, who was the senior person. That continued for several years. They consisted of Rumford at that time, [Assemblyman] Carlos Bee, Bob Crown . . .

MORRIS: [Assemblyman] Don Mulford?

PETRIS: Don Mulford. I was trying to remember his predecessor, actually, [Assemblyman] Walter Dahl, and later it was Mulford. But we haven't done that for years. It's been a long time since we ever had a delegational meeting, but during those days, we did. We did have kind of a team, you might say. The meetings were all for discussing problems of our county, and things that we had in common that we could work together on up here--the meetings were held here, actually--and help each other out with the bills that we had, that related to local matters, local problems.

MORRIS: And at that time, had things like the environment surfaced, or what kinds of issues?

PETRIS: Well, I'm trying to remember now, my very first years. I started in

'59. The environment thing had not quite surfaced, except that Rumford was active in the air pollution thing, and he was chairman of the health committee, a highly respected chairman of the health committee. He was carrying right from the beginning, I think, legislation relating to air pollution and the automobiles and factories and so forth. I'm not sure it was as early as '59 or '60, but it was certainly within the first three or four years after I got here. And that was a general statewide thing; it wasn't a district problem. It was everywhere.

[Interruption]

[Eulogy of Bob Crown is brought in]

You might want to look that over.

MORRIS: Thank you.

PETRIS: You can take it.

MORRIS: 1973.

PETRIS: Yes. You can tell when you read that that he meant a lot to me and was very special to me.

MORRIS: Well, that's great. How did the Alameda County delegation relate to southern California? At that point, was it a question of if Alameda County got something, southern California didn't, or was it more

. . .

PETRIS: Oh, yes. It was all the northern counties; there were problems at the time, some of it related to air pollution, and everybody looked to L.A. for the worst problem. One of the burning issues of the time was allocation of gasoline tax money for the construction of freeways. There had been a formula established years before which needed adjustment because of population changes in favor of the south. Every year, the southern delegations would come in with a proposal to change that formula, and the north would object to it, and vote against it, and try to knock it down.

I remember getting up on the assembly floor and voting with the southerners, and saying, "It's a matter of arithmetic. They have the people, they have the greater need, and the formula ought to be adjusted accordingly. This can't remain rigid forever; it's got to be adjusted as the circumstances require." Oh, my, and some of the northerners thought that was the most horrible thing they'd ever heard. [Laughter]

So there were a few regional, geographic differences. Water, of course, was one of them. Oh, water was constantly a problem and an issue. There was a lot of talk in those early years by a San Mateo senator, Richard Dolwig, who actually offered a constitutional amendment two or three times to split the state. There were several



reasons why he wanted to do it, but one of the big ones was water.

MORRIS: Did you think that had merit?

PETRIS: I didn't at the time. I thought it was terrible, but now it looks pretty darn good to me. [Laughter]

MORRIS: Yes.

PETRIS: I would support it today.

MORRIS: From the water angle, or just from the complexity of the various issues?

PETRIS: Water would still be a very big reason, yes.

MORRIS: Do you think that is a feasible kind of thing to have happen in the 1980s? It would take into the year 2000 at least to enact.

PETRIS: Probably not. But there are just times when I figure, [ehh, thhpbbt]. My thing is probably more philosophical than anything else. I think of Orange County and San Diego, and the stronghold of the most conservative if not reactionary policy and philosophy in our state is down there. The northern state is looked down on with disdain by a lot of those people, because we are far-out weirdos from Berkeley. They think everybody who lives north of Fresno is from Berkeley, and is a wild-eyed radical.

MORRIS: I see. And that affects you, even though you live in Oakland.

PETRIS: Oh, sure. Berkeley's in my district, and I went to school there, and

I don't like those kind of charges.

MORRIS: How much of that is rhetoric and how much of it really informs how the decisions have been made over the years?

PETRIS: Well, it isn't all just rhetoric. At the bottom of that rhetoric are some pretty strong feelings on the part of people who say it. And of course, we used to regard L.A. as a desert wasteland culturally. In the last ten years, they've done some great strides forward. They've passed the north in a lot of areas. They've now become the financial capital of the west. I think they've taken that away from San Francisco.

So the northerners are giving a lot more credit to L.A. now. I used to have the feeling that going to L.A. is going to a different country. Not just a different state, or part of a state. I don't feel that way any more, personally.

MORRIS: That's an interesting change in twenty years. Did the exposure to Byron Rumford and his concerns about air pollution, is that what caused you to get interested in the problems of the internal combustion engine?

PETRIS: Not initially. It made me more aware, yes. I remember his thorough discussion of the problem as chairman of that committee on the floor. What triggered my interest really beyond that general

interest, my specific interest, were some doctors. Some doctors came to me from private practice and from the public health sector, urging me to do something about it, and citing the air pollution caused by automobiles as the fastest rising health menace in California.

They gave me a lot of figures, particularly among the elderly. They said a lot of the elderly die from air pollution, but it never shows on the [death] certificate, because it aggravates or triggers other things, heart disease, for example. The poison gets into your bloodstream, messes up your heart, so that you die of a heart attack. But the underlying cause is air pollution. The certificates aren't sophisticated enough to show that.

And there were some episodes in L.A., two or three, that had this combination of the wrong factors in the temperature and the winds and, I forget what they call the cloud that hung over the . . .

MORRIS: The inversion . . .

PETRIS: The inversion layer, the inversion layer over L.A., was deadly. In the worst incident, I think 3,000 people died. People don't remember that.

MORRIS: Good heavens.

PETRIS: Yes, an enormous number of people.

Anyway, it was the doctors who came to me and said, "This is a very serious health issue and you really ought to get started in doing something." Then I shopped around, and I read some things on it. Frank Stead, who used to be in the Department of. . . . I think he was in the health department, it might have been Transportation; he wound up in some capacity at the university, as I recall . . .

MORRIS: Public health was his field.

PETRIS: Public health was his field. He had written an article, and that was the last of a series that I had read, and when I read that, I said, "Oh, we can't wait any more." So I put in a very simple bill, one sentence. It said, "From and after the effective date of this bill . . . ." No. It said, "Five years after this bill is passed, there will be no more internal combustion engines permitted in California."  
[Laughter]

MORRIS: Good for you.

PETRIS: "Unless they meet the following standards of cleanliness:" and that standard prescribed the number of milligrams of oxides, and all the other ingredients; there were four or five basic ingredients. I forget how they measured them, per something. And that I lifted right out of the official report that was made to the Congress by a committee

appointed by the Secretary, I think it was the Secretary of Commerce, rather than health. I don't remember the genesis, whether Congress initiated the idea, or the department, but there was this blue-ribbon committee at the national level looking into the problem of air pollution.

And the rest of the nation wasn't conscious of it at all, compared to California. We had the worst problem. The state of Maine, sitting on the ocean, and Vermont, with those gale winds coming through so often, they didn't have a pollution problem. Do you see what I mean?

MORRIS: Well, the highways are few and far between there, too.

PETRIS: Yes, right. Now, up comes this report that suggests that they should adopt these standards, and described and explained them, and said that from the technological viewpoint, it can be done. It's not something that's impossible, that we have the technology to do it. And from the cost standpoint to the manufacturing industry, it's feasible.

Now, included in that committee were two or three representatives of the Big Five [automakers], which they were called at the time. They were representatives of the Big Five, and I believe. . . . I forget the number; there may have been five. There

may have been one from each major company. The majority, if not all of them, signed on that report.

So I took that and ran with it. Congress didn't. They didn't do a damn thing. But I took it and ran with it, and I tried it two or three years in a row. The first two years, it was in the [Assembly] Transportation Committee. And this says something about the legislative process and the various missions of the committees.

I took it into. . . . I didn't take it; these bills are assigned by the [Assembly] Rules Committee. Now, if the author has a particular preference, he can write to the committee and suggest it be assigned to such-and-such a committee. You do it when you think you have a good chance to get it out of that committee, rather than see it lost there. It went to Transportation.

MORRIS: Was that at your suggestion?

PETRIS: No. I didn't make any suggestion. I wasn't quick enough to do it at the time. That went in; they took it to Transportation, [snaps fingers] boom; they killed it very quickly. Two years in a row. Transportation.

So I thought about it, and I said, "You know, this is really a health problem. The doctors are the ones who. . . ." And I had great witnesses. I had these doctors come in, who were both the

public and private sector, and I had statistics and this and that.

Didn't faze them. So I said, "What the hell am I doing in the Transportation Committee? Let's try for the health committee."

That time, I did write a letter. It came out of there unanimously.

MORRIS: Was this when Byron Rumford was still the chair?

PETRIS: When Byron was chair, yes. Unanimously. They were fighting with each other to make the motion. Now, I had the same witnesses, so the difference is that, of course, the transportation committee, at least at that time, was automobile and highway oriented, move people around, make room for the automobile. The health committee was health oriented, and this was presented as a health problem.

MORRIS: Would these doctors who came to you with the problem have been from the California Medical Association? Was it as official as that?

PETRIS: No, it wasn't an official program of the medical association, and I don't remember whether they took a position on it or not. But I know they were very friendly toward it, because other doctors came in also, once I got started. I started with these two or three that I knew, and then others wrote to me. I don't remember if the medical association actually took a position on it.

MORRIS: Were these doctors that you'd had some acquaintance with on other

matters before this?

PETRIS: Yes. Well, one of them, the public health person, I didn't know.

The private one, I did know.

MORRIS: Somebody from the Bay Area?

PETRIS: Somebody from the Bay Area, who based it on his own observation of his own patients.

MORRIS: Do you remember his name?

PETRIS: Yes, John Rosen. He came and testified at all the hearings in both houses. He was really dedicated. He's not in Oakland any more; he's down in Orange County right now, practicing down there. He's doing a lot of writing, a lot of medical and other kinds of writing. I think he's cut back on his practice. But he was excellent. I used to take him to meetings that I attended to drum up support for the bill, or meetings at which I was challenged.

I remember the local chapter, Bay Area chapter, of the SAE, Society of Automotive Engineers. You see the SAE writing on oil cans. They had a chapter for the whole Bay Area, and they were in a very hostile mood. I knew that, and they invited me to speak to them at a periodic dinner meeting that they had about the bill.

So I asked the doctor to come along. After I spoke, I introduced him, and I said, "He's here, he's one of those who



persuaded me to introduce it, strictly on the basis of health. So if you have questions about that, and the health factor, I'd like to have him respond." They said, "Fine."

First question. . . . I don't know if this is relevant to what you're seeking. I don't want to get off the track.

MORRIS: How these community factors get . . .

PETRIS: OK. The first question was extremely hostile. This guy got up and said, "What were you before you became a politician and went to the legislature?" And I could tell he was out for no good. I said, "Greek Orthodox. What are you?" Everybody roared, and he got very angry. He said, "I don't mean your religion, I mean what kind of work did you do? Are you an engineer?"

I said, "No, I'm not an engineer." He said, "Well, where do you get off telling us how to make automobiles? We're all automotive engineers." I said, "Let me tell you something. That kind of an attitude in my book is un-American, it shows total lack of faith and confidence in anybody in this country except you, and you guys as engineers are directly responsible for this pollution problem. Now, you have helped us create a magic symbol called the automobile that we all love and depend upon. We live in it, we're born in it, many of us, in the ambulance. If not, we'll certainly get

our first trip to our home in an automobile. Many people are conceived in it. And all kinds of other things happen in the automobile, and then we're ferried to the graveyard in an automobile. So we depend on it. But you guys have worshipped it like a symbol, and you haven't examined what you've done to society. And you're never going to do it unless some dumb outsider like me who's not an engineer comes in and opens your eyes."

I really blasted that guy. I said, "Let me give you some examples in our history of what I'm talking about, OK? In the twenties, when the automobile really started to catch on--assembly line, Henry Ford and all that, mass production--the radio was also getting started. So, some people went to the automobile industry and said, 'Hey, we like to take our Sunday drives. Why don't you put a radio in the car?'

"Oh, it's impossible, it can't be done. We've thought of it, but you see, this automobile has a metal frame, and there is static and interference--can't be done.' Do you hear what I said? It can't be done. When I was a little kid growing up in west Oakland, one of the things I'll never forget that I was taught by my teachers was, nothing is impossible if the human will is determined to accomplish it. And I grew up worshipping the giants of American industry, the

PETRIS: automobile giants and the steel giants and all the rest of them. They never said it can't be done in those days. And later, of course, during World War II, President [Franklin D.] Roosevelt did it. He said, '100,000 airplanes a year.' The world laughed at him, and we got them. We surpassed it.

"And you're telling me it can't be done, when you challenged me as to where I get off telling you that the engine ought to be clean, and it shouldn't be spewing out the poison. You and your whole damn profession!" I mean, here's two or three hundred engineers, OK? So I said, "Let me give you some examples. In the twenties, they said this. So you know what happened? We have radios in our automobiles, don't we? You know how it happened? Some dumb cluck like me who was not an engineer, he was not a radio man, he was not an automobile manufacturer, he decided to do it."

MORRIS: In his garage.

PETRIS: Yes. "He went out and hired some talent in both fields that were not connected directly to the industry. They were either on their own, or they were teachers, professors, I forget who they were, and he put it together and he did it. His name was [William] Bill Lear, and he became Mr. Motorola. He made a huge fortune

manufacturing Motorola radios for the automobile. Millions and millions of dollars, while you guys were sitting on the outside saying, it can't be done.

"All right. That's example number one, from outside. Now we come down to Xerox. People in the photocopy industry said the same thing, it can't be done. The Xerox people did it. How did they do it? They got a guy from the outside, same thing. Now, Bill Lear in our time, the jet age, was told, 'You can't make a small jet for the private business executive.' When the U.S. developed these beautiful jets toward the end of World War II, the B-52 bomber, whatever that was, the private airlines said, 'OK, how about making them now for us?' The private airlines switched from props to jets.

"That worked so beautifully that the wealthy executive who didn't have time to wait in lines in the airport and go through all that said, 'Hey, we've got these private airplanes, but they're going along with this little pole-jumper, and you've got jets. Make them for us.' And they went to every one of the companies." And I named them, "They went to Boeing [Company], they went to Sikorsky [Company], they went here, they went there--you know what they were told?--McDonnell Douglas [Corporation]--'Well, you see, the big jet has this wing span and in relation to the length of

PETRIS: the plane and the thrust, things happen. But you can't do that with a small airplane. It's impossible.'

"Did you hear what I said? It's impossible. It can't be done. So Bill Lear, like me, was too dumb to realize that it can't be done. So what did he do? For the second time, he hired talent that was not connected to the industry involved, and you know what they put together? The Lear Jet. You ever hear of that? It's still the biggest selling private jet in the world."

MORRIS: That's the same Bill Lear who put the radios in the cars?

PETRIS: Yes. Same guy.

MORRIS: Oh, my.

PETRIS: Yes. Well, by the time I got through with that, this guy sat down, and all the rest of the questions were about welfare, about social service programs. They never got back to the automobile. They just backed off. So there wasn't anything for my doctor friend to tell them. [Laughter]

MORRIS: Is that one of your principles of working out legislation, that some of the good ideas come from outside the profession?

PETRIS: Oh, absolutely. The profession traditionally, like government institutions; probably the worst offender is government. I just

finished reading Barbara Tuchman's March of Folly<sup>1</sup>, and she demonstrates that so beautifully, that people in government--and I mean way up high: presidents, cabinet members, legislators, queens, emperors--they just get blinded. Others know the story and they come to them and they tell them the evidence, and they won't accept it.

That's what the automobile industry was doing with air pollution. I remember Rumford spelling it out on the floor. He really went after them. He said, "In the beginning, there was only a suspicion, so we didn't know. But gradually, we gathered scientific evidence, unimpeachable, and confronted the industry. They said, 'Well, yeah, there is air pollution, but it doesn't come from us.' And finally they said, 'Well, yeah, some of it comes from the automobile, but it's only a tiny fraction. The rest of it is out there, these factories and things.' And they kept that up, and they kept that up, until finally we were forced to adopt legislation to compel them to do things that they should have done on their own just as a matter of putting out a better product."

MORRIS: Did the automobile companies send people to oppose your

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<sup>1</sup>New York: Knopf, 1984.

legislation?

PETRIS: Oh, yes. Are you kidding? They laughed at first. They laughed at us. They had sent people out in the prior two years, when it failed to come out of the transportation committee. They sent people into the health committee. Well, no, they didn't send people at that time. I take it back. They just laughed at us.

It came out of the health committee unanimously. It went to the senate floor. I don't remember the exact vote, but it was about, oh, something like twenty-seven to eight in favor. This was after [Senator] John Schmitz, who was a notorious John Bircher, openly and freely acknowledged his belief in the John Birch [Society] philosophy as a member, got up on the floor and spoke in favor of the bill. I remember it clearly. I was shocked, because he didn't tell me in advance he was going to try to help me. I probably would have said, "Oh, please, don't try to help me!" [Laughter]

He said that he had established his credentials on the floor of the senate as a person who did not like to see government getting into everything. There's too much regulation, and the government should not be ordering our lives for our own protection and all that. "But I've always made two major exceptions: one, where it's a matter of health, and two, where it's a matter of life and death.

And this fits both categories. Just listen to the doctors." I was absolutely amazed. He had read the stuff I was putting out!

My God, there was a silence that fell on that place. They said, "We've got Petris on one end, and Schmitz on the other. I mean, there's no in between now. Everybody's encircled." So it went out with this huge vote.

MORRIS: I can believe it.

PETRIS: Yes. Well, when that happened, the industry immediately took notice. They started flying people out here.

MORRIS: Not local people, but they brought them out from . . .

PETRIS: Oh, they brought them. . . . They had local people working on it, too. They had their dealers talking to people they knew in the districts. But they brought people out from Detroit, every one of them, and I had some meetings with them. In the assembly, we had a meeting that went for six or seven hours in the committee, and they killed it. I missed it by one vote in the transportation committee over there. Transportation; I couldn't get it into health. They won that round, but later we got it passed. The following year, it was passed.

And then [Senator Edmund S.] Muskie took the language out of my bill, because I had written. . . . I think I had written to



Muskie, because he was doing a lot of work in that area at the time, pollution in general, health. I gave him the history of the national study. I said, "Congress missed this, but I picked it up, and I would urge you to put it into your Clean Air Act." And he did.

So, I won after all. Oh, I take it back: I never did get my bill passed, because by that time, let's see. . . . [pause] I don't remember if [Governor Ronald] Reagan had come into the picture by then. I didn't get it passed during [Pat] Brown's administration; he would have signed it. I think I got it passed later and--yes, I got it passed after the Congress adopted the Muskie Clean Air Act, so what I had was raising California's standards to meet the national standard, which was my bill in the first place. Reagan vetoed it. He said, "We already have a national standard, it's tough enough, that's it."

MORRIS: That seems to happen quite a lot, that when California comes in with something that exceeds federal standards, people say, "We don't need both."

PETRIS: Yes. But usually, we're ahead of the feds. We're usually far ahead of them, in most fields, especially consumer protection, health matters. I've found that out in pesticides, too. I've done a lot of work in that.

MORRIS: That, too, had a long history, didn't it?

PETRIS: Yes.

MORRIS: How did you get involved in that?

PETRIS: I don't really remember. I remember having a concern for farm workers over a long period of time, but I'd never lived on a farm; I was a city boy, so people criticized me for that. "What are you doing messing around with a problem that's not even in your district?" Although it was in my district at the time; I did have some farm people in the southern part of the county at a time when I represented all of Alameda County. But it wasn't anything extensive enough to. . . . But when you think of the itinerant Mexican farm worker and all those, I was concerned about the terrible working conditions, about the extremely bad housing conditions, about the lack of the basic benefits that other employees took for granted. I worried about the children who were following the migrant families and moving to several schools in one picking season. The season starts in the south, and they get the bottom of the valley, and they move northward, bringing their children with them. And of course, often working right there side by side with them. Kids eleven, twelve years old, some below that.

[End Tape 3, Side A]

[Begin Tape 3, Side B]

PETRIS: Well, the plus side information came from the radical people, too, in the health field, public health people.

MORRIS: Did you have somebody in the Department of Public Health that you relied on, or who regularly sent you information?

PETRIS: No, but the word got around of what areas I was interested in, and they, of course, being in there, knew the problem. I would get a call. Most of the time, they're afraid to approach a legislator. They think they would be betraying the executive [branch of government], so they were very cautious about doing that.

MORRIS: People down the hierarchy in the department?

PETRIS: Yes. But I've had the help of people at that level on a lot of my legislation. Couldn't have done it without them, because they're right on top of it, they're the best informed.

MORRIS: There was, and still is, a fair-sized Mexican American population in Oakland. Did they come to you with some of these concerns?

PETRIS: Never had any contact from them.

MORRIS: Really?

PETRIS: Not once. Strangely enough. I imagine, to the extent that these things were reported in their press, and they have the Hispanic newspapers and they have the radio, they were supportive. I do

remember getting a flurry of letters which I answered in Spanish, but that was long after I got into it. Maybe Cesar Chavez reached them, because after I had the legislation going for some time, Chavez came in to see me, introduced himself. He said, "You're right on target; I want to help." He was very helpful; he brought people up whose bodies had been scarred by the pesticides and who showed the scars to the committee, and they testified about some of the problems.

So there was one point where I did get letters, but this was long after I got started. I carried the bill for twenty years before I got it passed, almost every year.

MORRIS: You took it with you from the assembly into the senate?

PETRIS: Yes, I brought it over here. Never did pass when I was in the assembly, the so-called liberal house. Actually, that's not fair, because most of the time that I worked on it was in the senate.

MORRIS: I'm interested in your own local political contacts in relation to your reelection campaign. Were there Hispanic precincts or precinct people who . . .

PETRIS: No, very little activity there. The Hispanic community just was not organized and not active until. . . . Well, the MAPA people were formed. There were two groups, the Mexican American Political

Association. I was always close to them, and always got their support, the local chapter as well as the statewide, and there was the GI Forum, which is composed of veterans of Hispanic descent. They were active politically, and I worked closely with them.

But they had their own agenda. They were interested in expanding the visibility of Hispanics in various fields and professions, expanding their educational opportunity. They had good programs, and I supported all of those. So it wasn't my program that they worked on; I kind of worked on theirs.

MORRIS: I see. And they'd work on your campaigns, but it didn't necessarily follow over into keeping track of what was going on in the legislature?

PETRIS: Well, their campaign work was somewhat limited, actually. The main thing, I guess, was the endorsement. I would attend their meetings and speak to them and answer questions, and always got their endorsement. Beyond that, I don't think that there were too many volunteers that came out. There were a few volunteers who would come out and ring doorbells, do things that were needed for the campaign, but it wasn't a massive effort. They were much more active in other parts of the state, especially in L.A., as far as that type of work goes.

MORRIS: I was just interested, because I am interested in how the Mexican community developed in Oakland.

PETRIS: I see.

MORRIS: I know they've been concerned about political visibility, and . . .

PETRIS: Well, they're much more active now than they were in those days. But they did have those two organizations, which were growing. One of them, a statewide officer, I was very close to, and he helped me a lot. There were several leaders who helped me tremendously.

MORRIS: Who were they?

PETRIS: [ ] Bert Corona, who moved to southern California a long time ago.

MORRIS: From Oakland?

PETRIS: From Oakland. He was statewide president, I believe, at one time, of one of the organizations. I ran into him just recently, last week or two. He's still active, he said, down there. I don't hear about him as much. And there are other names that I've forgotten. I should remember, I just don't. He's the one that comes to mind.

On my own, I knew a lot of people of Hispanic descent that weren't part of the activist groups, and always got help from them as well as individuals. People I knew in school and others that I met along the way. There was a fellow by the name of Calderon,

Isidoro Calderon. I served with him on a citizens' committee to promote more housing for the poor in Oakland, including public housing. I was chairman of that citizens' committee before I ran for the legislature; I believe he was vice chairman. We worked very closely together over a period of years.

So, at election time, he always helped, when I decided to run. But again, it wasn't part of some organized movement; it was just him, he was reaching out . . .

MORRIS: Just your own connection.

PETRIS: Yes, he was reaching out to his friends in the Hispanic community. He wasn't from Mexico, he was from Puerto Rico, or some other place.

MORRIS: Long-time Oakland resident, or had he come . . .

PETRIS: Yes. Well, no, he had come in from outside. He spoke with a strong accent. He wasn't born in the area; he was born elsewhere, and he had come into Oakland.

MORRIS: After World War II?

PETRIS: After World War II, yes.

MORRIS: OK. In going over some of my notes, I found that you were chairman of a committee in 1963 to study the California tax structure.

PETRIS: Yes.

MORRIS: And the newspaper article said that Mr. Unruh had appointed you to chair that committee. How did it come about that the legislature decided they should do an overhaul of the tax structure?

PETRIS: Well, I was chairman of the Assembly [Interim] Committee on Revenue and Taxation; it was the largest committee in the assembly in terms of numbers of members, next to [Assembly] Ways and Means [Committee] itself, which at that time was chaired by Bob Crown. As usual, an idea for a massive study, hopefully leading to reform, came from one or two or three individuals, and mine was generated by talks that I had with my chief of staff, David Doerr, who served on that committee longer than any staff person in history. He didn't leave until about three years ago. Unfortunately, he was dismissed by [Assemblyman] Johan Klehs, who is the current chairman from Alameda County.

MORRIS: I don't understand that, why somebody dismisses somebody who's been . . .

PETRIS: I don't know. They had some kind of difference or falling-out. I never did get the full story. It was in the newspapers, but I never did figure it out. He's now with a private group.

MORRIS: No, he's with the [California] Taxpayers Association.



PETRIS: Yes, I guess so.

MORRIS: He came and talked to a meeting of the people I'm working with on this project.

PETRIS: Oh, is that right? But he was a very bright and very resourceful, and innovative, and I asked him to talk to some economists at various universities, and they all said, "It's antiquated, the structure really needs to be modified, statewide and locally." So I asked for an assignment from the speaker to go ahead and make the study. We had to get authorization because it meant doing a lot of things.

We were doing a lot of studies in those days. We published several reports, there were twelve volumes,<sup>1</sup> and what we did was we made some changes on the committee to make sure we had some more heavy hitters who were really dedicated . . .

MORRIS: Changes on Rev. and Tax.?

PETRIS: Yes. Not a lot, but enough here and there. We had good strong Republicans and Democrats, from whom we could get good attendance. Then I went out and hired university economists from U.C. Berkeley, from UCLA [University of California, Los Angeles], other public schools, and I went into the private sector as well. We

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<sup>1</sup>Assembly Interim Committee on Revenue and Taxation, Assembly Interim Committee Reports, 1963-1965 (Sacramento: California Legislature, 1965).

got some terrific people together, and we divided it up by subject matter: "You study the sales tax, you study the property tax, you study the income tax, and you study the overall impact, what do our taxes do to people, are they progressive, are they regressive, do they help business, do they retard business," I mean, a massive study.

MORRIS: Did you also look into the interaction and functions of the Board of Equalization and Franchise Tax Board?

PETRIS: Oh, yes. We went into that, we went into assessment practices. . . . I think at one point we considered recommending one overall revenue department, because they were scattered, too fragmented. That study, I can brag about it, because I didn't do the study. I appointed the people who did it, you see.

MORRIS: There was somebody named [Raymond] Ray Sullivan, too.

PETRIS: Yes. He was assistant to Doerr. He did work for a long time. . . . When he left here, he worked for the city of San Francisco. He lived in Berkeley. I hired him when the study began. David Doerr was there all the time anyway, as chief consultant to the committee. But we needed help when we did the study, and that's when we hired Ray Sullivan. He came in and did good work, especially in the assessment field.

There were several different fields, and every one of them was

pretty complex.

MORRIS: Had there begun to surface yet some questions about how the county assessors were . . .

PETRIS: Oh, yes. In fact, scandals broke at that time, and that gave us an impetus to get into assessment practices more. But we had been working on them before. Then we found out about all this corruption, preference of one tax group over another, differences in assessment that were scandalous.

MORRIS: Between the business assessments and private . . .

PETRIS: Between the business and the homes, and also between different businesses. Oh, yes. It was just. . . . We were so appalled, we turned our information over to the grand jury in Alameda County. And of course, they indicted the assessor of Alameda County, [Donald E.] Feragen, who went to jail. The San Francisco assessor [Russell Wolden] was also convicted.

So we came up with this bill which included assessment reform. John Knox played a big role in it. The attorney general drafted important parts of the bill.

MORRIS: Was [Attorney General Thomas C.] Tom Lynch generally supportive?

PETRIS: Yes, very strong. And we had a very massive package. I remember

the number, it was A.B. 2270.<sup>1</sup> Unfortunately, the senate really roughed it up. It got enmeshed in inter-house rivalries. There were a lot of senators, Democrats, who hated Unruh's guts, and Unruh made the tactical error, I realized later, in his genuine effort to really help me get that bill passed, he embraced it, smothered it with affection. Because he took the time to come over, he was a co-author, and he came over and testified in the senate committee, and that was the worst thing he could have done. There were key members of the senate on that committee that didn't like him, wouldn't vote for anything he suggested.

And then, Pat Brown was very critical of portions of it, and I think his outlook was somewhat biased by his attitude towards Unruh as well. But we did get it passed, in spite of all those problems. We had to make some changes. No, I take it back, we lost it. We lost it. Because if it had passed, we wouldn't have had to have Prop. [Proposition] 13,<sup>2</sup> because it had a gradual phasing out of the property tax, recognizing its unfairness, limiting it just to police and fire services at the local level and basic things like that.

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<sup>1</sup>A.B. 2270, 1965 Reg. Sess.

<sup>2</sup>June 1978.

PETRIS: We were taking education off the property tax, and putting it on the income tax, which we felt was more fair and equitable. We regarded the property tax as regressive, and also unrelated to the purpose of the property.

MORRIS: Would you explain that a little bit?

PETRIS: Well, the traditional reason for property tax was simply to provide the absolutely basic necessities that a local government would need: schools, police and fire, health, whatever was needed there and nothing else. Now, the inequity was in. . . . Well, there were several of them, but one of them was, there's no reasonable relation between taxing a person's property and some of the uses which it had. I thought it would be better to just have an income tax which is broad and covers more people.

For example, the property tax was unfair in that you had to pay the tax, no matter whether your property generated any profit or not.

MORRIS: You just live there.

PETRIS: Yes. Or it's a business property. We've all seen declines in neighborhoods where the businesses take a beating, they're just not making any money, some of them are losing money, or they're just barely hanging on. They have to pay this whopping property tax.

Same was true of the personal tax on business, office furniture; we got rid of that. One by one, we really did some good reforms. But the overall goal was to make taxes more progressive overall, not just one in particular, but all.

We took everything into consideration: sales tax, the property tax, and the income tax. We asked ourselves, "What is the impact of all three put together?" And we found that some of our taxes were very unfair to the poor, hit them much harder than they should have, and were favoring the wealthy. We wanted to level that off. And that's why we felt going to the income tax was better.

And the business community was pretty supportive of it. They understood that. . . . They were willing to pay a tax when they made a profit, but they didn't like the idea of paying a tax when there's no profit. That's where the over-emphasis on the property tax came in.

And I think if that bill had passed, we really would have headed off the mounting escalation of the homeowners' enormous taxes caused by a rising economy and a rising property value, where the local governments got more and more money without having to take the heat for raising the tax rate. They got it on the assessment increase.

MORRIS: So again, you started the study in '63, and the study didn't get completed for a couple years; by that time you were in the senate, so you took the results of the study with you over to the senate.

PETRIS: Yes, right. But the bill itself was an assembly bill. I carried it all the way through until it was defeated. It was killed in the senate, as I remember. That was while I was still in the assembly. But we kept working on it, and after I got into the senate, I still did some work on it, because I got on the tax committee [Senate Revenue and Taxation Committee] on our side. I wasn't chair. My dates are blurry; now I don't remember when that was.<sup>1</sup>

We had a massive package that included everything. Then we also had individual bills, some of which were re-introduced at later times. In fact nearly all the ingredients of the package were passed individually and separately. They include income tax withholding, assessment reform, repeal of inventory tax for business. We had income tax withholding in every one of those packages. And Reagan, do you remember Ronald Reagan said, "My feet are in concrete."? And then he signed it, and he said, "Gentlemen, the noise you hear is the concrete cracking around my feet." He always

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<sup>1</sup>Petris is listed as a member of the Senate Revenue and Taxation Committee in the 1969 legislative handbook.

had good one-liners.

MORRIS: Did indeed. Why was it so difficult to. . . . Was it that the governor didn't want it, or was it that the legislature didn't like withholding, or the Department of Finance didn't like it?

PETRIS: Pat Brown supported most of the ingredients, but I think the senators, like George Miller, who was very close to him, persuaded him that it was not a good bill. Part of it was rivalry, because they were doing their own study, and they had this one guy doing it.

MORRIS: "They," the governor's office?

PETRIS: No, the senate tax committee. The senate counterpart had its own study going. But they had this one guy, an old-timer, and he frankly had an alcoholic problem. He was a nice enough guy, but he was doing all this by the seat of his pants, so to speak. We had these younger, bright, eager, enthusiastic, intelligent staff people. I think Rose Bird did a little bit of work for me at that time.

MORRIS: As a law student or intern?

PETRIS: I don't know what the heck her capacity was, but I think I engaged her to do a little bit of work on that committee. Just a temporary assignment. We had a good staff; we had these contracts for study by professors; we weren't afraid to get outside help, outside experts, and I felt good about what we were doing. As a matter of fact, the



demands for that were so great we had to do more than one printing. We eventually put out twelve volumes, and we boxed them. I should have a set here, but I don't. They're valuable now, and they're hard to get.

We sent them to the universities and all, and many years later, when I met Senator Paul Sarbanes of Maryland, he was speaking to a group out here, and I was in the meeting as one of his fans. He said, "I want to tell you about Nick Petris. I knew him long before I met him. I was in school doing a study," he's an econ. [economics] major. "I ran across this beautifully boxed set of reports from the California legislature. It was this massive tax study, and it was praised so highly by my professors," he was at Princeton, "that I looked into it. They called it the finest study of its kind ever done by any state." Yes. I didn't know it; he had never told me that privately! He told this crowd, see?

MORRIS: I thought that the 375-page report was pretty massive. I didn't realize that that was backed up by twelve volumes.

PETRIS: Oh, yes.

MORRIS: The Little Hoover Commission [Commission on California State Government Organization and Economy] also turned out a report on tax structure in 1964. Did they have any ideas that were useful to

you folks?

PETRIS: I don't remember, to tell you the truth. I'm sure that we got ahold of everything we could get our hands on that was pertinent and fairly current.

MORRIS: Well, I was . . .

PETRIS: We may well have adopted some of their recommendations, but I don't remember now.

MORRIS: In general, how does the Little Hoover Commission relate to what's actually going on in the different legislative committees? Are they picking up the same things you do, or are they . . .

PETRIS: No, they go off on their own. They don't get many clues from us, although there are members of the legislature who serve on it, and I guess to that extent they serve as a liaison and the committee members ask, "Well, what are you doing about this and that?" But they're an independent group that digs in and comes up with its own recommendations. Sometimes they are comparable to ours, sometimes they're different. Sometimes they're at odds with what we think ought to be done. But most of the legislators give at least lip service to the idea in their reports, because everybody's dedicated to eliminating waste in government, and duplication, and unnecessary bureaucratic overlapping and entanglement. Streamline

the processes, and streamline the structure.

MORRIS: Well, going back to that idea, and the idea of a department of revenue. If everybody's in favor of streamlining the process, why is it so that a single, unified department of revenue has never been adopted?

PETRIS: Well, probably because the various departments always come in and oppose it, and they have their friends in the legislature who are identified closely with them, and it's a turf fight. We had bills like that. I didn't carry them personally, but I supported them. I conducted hearings on them. I remember Martin Huff, we talked about Martin Huff in the past.

Martin Huff came in strongly urging the adoption of the particular proposal for a consolidation of all the revenue-gathering forces under one roof, even though it would probably have meant the elimination of his job.<sup>1</sup> I mean, that's the kind of public servant this guy was. As a matter of fact, he still supports it. He's not in there any more.

Quentin Kopp is carrying a bill right now to do that, Senator Kopp. In doing his research, of course, he ran across the name of

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<sup>1</sup>See Oral History Interview with Martin Huff, Sacramento: California State Archives, 1990.

Martin Huff. He ran across some stuff that I had done in that field over a period of years, so he called and asked if we could talk about it just a week or two ago. He said he would like to talk about the proposal with me, and could I arrange for him to see Martin Huff, and a fellow by the name of [David] Brainin, who was in Finance.

So I made the appointment and brought them together.

Turned out Brainin got sick, one of the flu persons, didn't make it, but Martin Huff and Kopp and I had a good session. And again, Huff reacted very favorably to the idea, the concept, the question of what's the best way to go. So I'm on that bill as a co-author, and I intend to support it.

MORRIS: Is the bill in any major way different from the bills that were introduced twenty years ago?

PETRIS: I don't think so. I don't think there are any major changes. There are some differences. I'm not familiar with all the details in Kopp's bill, but I know it's gone along the same path, the same direction. He's also looking at consolidating transportation systems, too. I think he has legislation on that, to have all these independent little things merge and be under one central direction so we have an overall policy for the Bay Area. So he's looking to more than one field to streamline and improve our operations by consolidating.

Now, consolidation doesn't always work. We know that from experiences in the east, and he's aware of that. But he has a cautious approach, and it sounds sensible to me.

MORRIS: Was it mostly the departmental people that dumped the idea in the sixties?

PETRIS: I think so. I think it was mostly the various departments; all of a sudden their jurisdiction is being threatened. It's understandable, human nature. "Yeah, we're really doing a good job, it's very efficient. It's not nearly as bad as people say." They gave a lot of reasons why the state would come out ahead by continuing the existing system. But it needs reform, I'm sure of that.

MORRIS: Sometimes the reform has been a new supervisory body put on the top of existing structures. In general, does that prove to be useful, or does it add another layer of . . .

PETRIS: Well, sometimes it does, but it's always a danger that they go the same way as the others did before. I think basic changes in the structure are more effective, if you can bring those about. They're harder to sell.

For example, Kopp's working on the Board of Equalization. He feels there are a lot of problems there. There is some overlapping. For example, the DMV, Department of Motor Vehicles, should it

collect a certain tax which it collects for the Board of Equalization, or should the board do it directly and expand its function? You know, there are a lot of little areas in there that show some congestion and overlapping that need to be cleared away. That's a structural thing from within. It doesn't require somebody else on top.

But it's true, you often get a superagency to look over five or six subordinate agencies. We did a major thing on that quite a few years ago, where we added the Department of Consumer Affairs now on top of all the various licensing bureaus. I think that was a major improvement, when Pat Brown appointed a consumer counsel on his staff, when he was first elected. That was one of his early recommendations, and he had a marvelous head of consumer affairs, Helen Nelson. We'd never had one before. That was bitterly opposed by the whole business community. They didn't want us messing around.

I think that led to some very good improvements. Now, the direction it takes, however, depends on the policy of the governor. This governor [George Deukmejian] is not a friend of the consumer, in my judgment. This governor worships the ground that business walks on, and whatever business says hurts, or whatever business

PETRIS: says is bad, Deukmejian will not support. He'll oppose, almost without exception. So he appointed as the head of the consumer affairs agency [State and Consumer Services Agency] whom I opposed, charming and lovely woman who had been a recent president of the chamber of commerce statewide.

Now, as I told her in public in the Rules Committee, I don't think the governor was being fair to her--her name was [Shirley] Chilton, sort of like the old Chisolm trail--it's not fair for the governor to try to put a round peg in a square hole. "You've devoted your entire professional business career to fighting the whole concept of regulation, of government supervision, government monitoring an enforcement of standards of ethics in the marketplace. All you business people find that abhorrent, and you fight it all the time. You've always fought it, and probably always will. It just doesn't seem right, it seems to me, to put a person who has been leading the charge against regulation in charge of consumer protection."

[End Tape 3, Side B]

[Session 3, February 26, 1989]

[Begin Tape 4, Side A]

MORRIS: I thought today we might talk about the Lanterman-Petris-Short Act,<sup>1</sup> and what was going on in mental health services at the time. It looked like you kind of inherited that committee when [Assemblyman Jerome] Jerry Waldie went to Congress?

PETRIS: Right. There were three of us: Waldie, [Assemblyman Frank] Lanterman, and I. And when he [Waldie] went to Congress, I became the chair of that subcommittee in Ways and Means. I forget who the third one was who came on board and took his place.

MORRIS: That replaced . . .

PETRIS: Waldie. Strange; I should know that. But I think by the time he left. . . . I don't remember the year that he left.

MORRIS: He was elected to Congress in the special election in May of '66.

PETRIS: Yes, so we had completed the committee's work on the hearings.

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<sup>1</sup>"The California Mental Health Act of 1967," A.B. 1220, 1967 Reg. Sess., Cal. Stat., ch. 1667.



As a matter of fact, legislation was introduced in '67.

MORRIS: So the committee was still doing its study in '66 when . . .

PETRIS: No, we were winding up pretty well. The bill was signed by Reagan in '67, to become effective a year or two later; the lead time: two years.

MORRIS: Was that unusual that a bill would take two years to take effect?

PETRIS: Well, it wasn't that unusual, it just wasn't a common thing. Normally, they take effect at the first of the following year, or sooner if urgency required. But there are times when we do that, especially on a new program. We give the local agencies time to gear up for something new, and this was going to be such a massive change that it required some preparation.

MORRIS: Why was it that it was a Ways and Means subcommittee that was doing this study of commitment to the state hospital rather than a committee on health or welfare?

PETRIS: Well, it started as an inquiry by the money committee to ascertain whether we were getting our money's worth. Bob Crown, as chairman of that committee, created a subcommittee and gave us our charge. We hadn't looked into the nursing homes for some time. It started as a study of the nursing homes. As a matter of fact, we came out with some sweeping recommendations for

reform of the whole nursing home industry, and I thought they were really good. I carried that bill, and that was designed to provide some carrots as well as some sticks to the industry. The carrots being in the form of a larger subsidy from the state, providing they met certain higher standards than they had had before in the type of employee that they hired, their qualifications, their training, and in the service they gave to the patients.

And in the process of doing that study, we kind of fell into the mental health thing. We discovered a large number of elderly people who were put away, and they weren't turning up in the nursing homes. They were turning up in the state hospitals. So we took a good look at that to find out why. It branched out from a study of the nursing homes to a study of the whole mental health system, particularly the incarceration and the methods, and wound up as an additional, separate study. But it wasn't intended in the beginning to be that.

We learned, for example, that. . . . Inevitably our staff was trying to get a yardstick and make some comparisons. How did people make out who go into the private nursing home?

MORRIS: Assembly staff?

PETRIS: Assembly staff. All this staff work was on the assembly side. How

do they compare with those in private facilities that provide care for the mentally ill? That came in later. And that took us into comparing the state hospital record with the fate of those who don't go into the state hospital but go into some private facility.

We found one in L.A. where the average age was over ninety, and just doing great. People who could afford to put them in private facilities had them nearby, frequent visits from the family, a lot of TLC [tender loving care] from the staff and the family, in contrast to others in the state hospital who. . . . I hate to quote a figure, but I think that we found that almost 80 percent who had been railroaded into the system by scheming or hostile or frustrated and desperate relatives died within the first year of incarceration. The way the doctors explained it to us, they said, "They just lost the will to live." A husband who'd been railroaded into the state hospital by his wife knew that she just wanted him out of the picture. She never went to visit him. He just died. Or a woman; it was the other way around.

So the thing that hit our attention was the ease with which people were being run into these state warehouses, never to emerge alive. That took us back to the county level, and we found a bookkeeping mentality in the counties. There was no

PETRIS: state inducement in the structure at that time . . .

MORRIS: In the Short-Doyle program?<sup>1</sup>

PETRIS: In the Short-Doyle program, to induce the counties to keep people at home and provide local care. The incentive seemed to be, ship them out. You got somebody with a mental problem, ship them out to the state. You don't worry about them anymore. That's why in the Lanterman-Petris-Short Act, we had a provision that when they ship people out, they had to contribute to their care. I think it was up to 10 percent. So the county still had to pay.

Of course, looking at it from the other end, after the thing got started, that was still the basis for the failure of the program, because when we started keeping people out of state hospitals, it was under the intention that the state dollar for mental health was going to follow the patient. So if you had a person mentally ill that was not sent to the state hospital, there'd be money [locally] for that person that ordinarily, otherwise, would have gone to the state hospital.

That never happened because, although Reagan signed the bill, much to his credit, he really emasculated it. He cut

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<sup>1</sup>Short-Doyle Community Mental Health Services Act, S.B. 244, 1957 Reg. Sess., Cal. Stat., ch. 1989.

something like twenty or thirty million dollars out of it the first year. He put that back into the General Fund. That took the guts right out of this state money for local treatment. It emptied out the hospitals, but there was no follow-up treatment. That's what contributed to the current homeless problem, as a matter of fact.

MORRIS: That's what you're beginning to read.

PETRIS: Oh, yes, it's very clear. Not only here; it's happening all over the country. But it was aggravated here by Reagan's refusal to put that money back. So there were lawsuits filed, and political battles. We managed to get part of the money back, but never did get the full amount back. . . . And even the amount we had allocated wasn't enough. It was a start. We never have caught up.

MORRIS: The material that I read said that this was one of the first projects done by the Assembly Office of Research, that a man named Arthur Bolton . . .

PETRIS: Yes, Arthur Bolton was the number-one staff person. He drafted, he wrote the report called . . .

MORRIS: Is that the one about the Dilemma Report?<sup>1</sup>

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<sup>1</sup>Assembly Interim Committee on Ways and Means, subcommittee on Mental Health Services, "The Dilemma of Mental Commitments in California," November 1966.

PETRIS: Yes, the Dilemma of Commitment, something like that. That committee had hearings around the state, and informal meetings, and staff surveys. It went for about three years before we drafted a bill.

MORRIS: Got it into shape.

PETRIS: Yes. And we met with just about everybody we could think of. We met with psychiatrists, with judges, with public defenders, attorneys who represented people who were incarcerated. We met with district attorneys. We had meetings with every. . . . With psychiatric social workers, with psychologists. Enormous number of meetings. We had public hearings and we also had informal gatherings without a rigid agenda, trying to get as much information as we could to find out, number one, what is actually going on out there, and number two, what should we do to improve it.

MORRIS: Did it make a difference to how you went about developing the information and then the strategy for the legislation to have somebody like Arthur Bolton and a staff in the Assembly Office of Research to work on it?

PETRIS: Oh, yes, it made an enormous difference. When we were doing the nursing home thing, I had a marvelous woman who has since

died, very, very bright. I sent her out undercover to check into nursing homes.

MORRIS: Undercover? Really?

PETRIS: Yes. She wrote a report that was classic, even up to now. There was a first state assembly report that had a picture on the cover instead of the usual drab, one-color thing with kind of a dreary title on it--many, you look at the title, you're not really encouraged to read it--this one had a picture of a large number of senior citizens sitting in an auditorium, obviously attending some kind of a meeting, and in the first few rows you can see each face very clearly. Of course, the book was on the plight of the elderly, particularly with respect to nursing homes.

That started a new trend in fashion up there. They started jazzing up their covers, just like the discs of records after World War II. They all used to be these one-colored things, very somber jacket, and they've blossomed with these enormous colors and varieties and things.

MORRIS: I always attributed that to Jerry Brown becoming secretary of state. My observation of the improved graphics in the state directory is about when he became secretary of state.

PETRIS: Yes, I think that's true.

MORRIS: There was some thought that Waldie and maybe Bolton were looking for an issue that would have some visibility and give the Assembly Office of Research a chance to show its stuff. Was that a factor?

PETRIS: I don't remember that at all. In fact, I don't even remember the office of research being that active. Bolton was certainly the key person. I don't remember now that he came out of the office of research; I guess he did.

MORRIS: I think he was already one of Unruh's staff assistants, and then when the Assembly Office of Research was created, Bolton was the first director.

PETRIS: Yes, I think so. It was a good office; it still is. They do good work, they give good studies.

MORRIS: Did you work with Bolton on any other things that you recall?

PETRIS: No, just that.

MORRIS: Where had he come from?

PETRIS: He came from the east somewhere; New York, probably.

MORRIS: Was it part of your original study to move the Bureau of Social Work out of the Department of Mental Health and over to the Department of Social Welfare?

PETRIS: I really don't remember. I don't remember whether that was part



of our original plan, or it came about, as so many things did, as we probed into things. The thing that really galvanized us into action was really the plight of the senior. I should explain a little more fully what I meant by railroading people.

Let's put it this way: our conclusion in the Dilemma Report was that there was a very high percentage of elderly and others in the mental hospital system who were not mentally ill, either under the legal or medical definition. Now, how does that come about? One is a bookkeeping mentality at the county level, where one board of supervisors after another in county after county didn't want to face up to a problem. As long as it was easy to ship people out to the state and let them worry about it, they weren't going to undertake any initiatives which would cost money to do anything to provide treatment. That led to . . .

MORRIS: Even though there was Short-Doyle money to expand the local services?

PETRIS: Yes. They just didn't want to do it. As a matter of fact, the year we started--somewhere along that line--the biggest shock I got was in my own county. I don't know, we had five or ten beds in the whole county for the mentally ill. That year's report of the county, I forget what it was, kind of like the state budget that's

published each year, the county budget, the cover was a montage of newspaper stories about welfare fraud, and the people who cheat the county. I mean, that was their orientation.

I saw that, and I really blew my stack. I talked to a couple of the members of the board staff and asked them what in the world they thought they were going to accomplish by something like that. But it showed that their number-one priority was to save costs as much as possible, and not worry so much about what the needs were and the problems were.

That was confirmed in our checking into other counties. They may not have had the same visible approach in their budget, but they had the same attitude. People were being sent to the state hospital who did nothing more serious than talk to themselves. Somebody walking down the street talking to himself. Today, we don't pay attention. But in those days they'd grab them and haul them off. Or a neighbor, maybe a guy who's had other idiosyncracies which are irritating, but they weren't mentally ill. Oh, they had some problems, yes, but they were not mentally ill.

They would call the police. The police would send either a police car or sometimes even a paddy wagon out, especially if the call came from the wife. The wife would say, "My husband,

PETRIS: you know, something's screwy. He's crazy, he's this, he's that. I can't stand him," and they'd come out. Neighbors would see this police car pull up, the uniformed guys running up the steps, grabbing this guy and hauling him off like he was a criminal.

That was the number-one thing that we corrected. We said, "You've got to get two doctors to certify that this person needs to be incarcerated," and that means that each one of them has seen him. That was an enormous improvement. Second, you don't go out there in a police car. This is not a criminal. This is a sick person. This is a patient. So the most you can have in official trappings is an ambulance. Your best thing is an unmarked car. Most of them don't need ambulances; they're not physically disabled.

The second thing was that when they were taken away, they were of course taken to the county hospital for observation. They always had that three-day observation thing, which we incorporated in the law. They would have a hearing. We sent staff people into a lot of counties to watch those hearings day after day. They averaged five minutes.

MORRIS: What kinds of comments did you get from the judges? Did you have some sessions with the judges around the county?

PETRIS: Yes, we had sessions with judges. The judges seemed to be a little more enlightened, but they felt that there was nothing else they could do. The judges had told us they would tangle with the local board and say, "For goodness sake, why don't you provide something for people? It just doesn't seem right to ship them off to the state hospital." The reason they did it, it was the only option. There were no other options. There were no local facilities available, either inpatient or outpatient.

Now, there was one judge, [Arthur H.] Karesh, who is retired now, but he's still very active. He's still trying cases. He was in the headlines the other day on some case. He was in San Francisco. After retirement, he came over to Alameda County. He was a judge here like a regular for three or four years. He still tries cases here. We asked him because of his extensive experience in San Francisco, where they used to go to the general hospital to hold their hearings . . .

MORRIS: In the hospital?

PETRIS: In the hospital. They would come before the judge wearing this damn gunny sack, totally devoid of any dignity, and they just shooed them into the thing, just one after the other. The hearings would average five minutes. You'd have the public defender there

--now, why do you have a public defender? They represent criminals! You see?

MORRIS: Or the rights of whoever.

PETRIS: Yes. Sometimes they would go to the bedside. Other times, they had kind of a room set up where the judge could have hearings.

We asked him to come to Sacramento and tell us how we could improve the system, and what was wrong with it. He was almost in tears. He said, "You know, I've put away an awful lot of people in the category you're talking about, and I'm here to tell you I'm ashamed of it. It didn't dawn on me until last year when I went home." He was from South Carolina. He still has an accent; all these years, has a slight accent.

He said, "And I spent some time visiting my father, and he had a lot of eccentricities. I looked at him and I thought of a number of elderly who had come before me who weren't any worse off than he was that I had packed off to the state hospital. There, but for the grace of God, goes my father. And I vowed never to do it again. I started raising Cain with the county, telling them they've got to do this and that and the other."

So he's the one who labelled our bill the "Bill of Rights for the Mentally Ill." He liked what we were doing, he supported it

very strongly. He spoke out in favor of it. He liked the idea of getting medical certification before even the three-day period. He liked the plain car thing. He liked sending people, if they had to have any kind of uniform, it ought to be the white smock. They are medical people; they're not prison guards, they're not police.

MORRIS: They're not the legal system.

PETRIS: Yes. They're going through some medical system, not prosecution. He liked the provisions that required a certain amount of space for each patient at the hospital bed, the right to take phone calls, the right to mail, unlimited mail--all kinds of rights they never had before. See, normally they go in there, they take everything from them, stick that in a locker, they never see [their things] again, they give them a gown, that's it. Very demoralizing and dehumanizing, degrading. He supported all those provisions very strongly.

MORRIS: Did you get a lot of opposition from boards of supervisors around the state?

PETRIS: Oh, yes, of course. The boards were against it, the Conference of Local Mental Health Directors was against it. There was tremendous opposition from all over the place. But we just hung in there, and we just fought. We had a great ally in Frank

Lanterman. When they took a look at Petris at one end and Lanterman at the other, Petris being one of the most liberal members of the senate and had been in the assembly, Lanterman the most conservative assemblyman, they figured it can't be all that bad if these two guys are both for it.

The ACLU [American Civil Liberties Union] showed up and supported it, and boy, he really raked them over the coals. He said, "Where in the hell have you people been? I've been working on this problem for years, I could never get your attention. This is a basic constitutional, fundamental issue of the right to have the right thing done for these people. Glad to see you, but you're very, very late." The district attorneys also supported it. That was another wide parameter of . . .

MORRIS: How did you go about getting the district attorneys' attention and their support?

PETRIS: Well, just through inviting them to our hearings and asking them to testify, and to hear what other people had to say. It wasn't easy to get their association endorsement, but we finally got it. There were a lot of people in there that didn't want to do it.

MORRIS: Why not?

PETRIS: Well, I don't remember all their reasons. One of them was it was

a criticism of the county, and by endorsing the bill, they would be admitting that people were being unjustly committed, and they couldn't admit to that. See, a lot of counties didn't have a public defender. Now, who was it that presented the case to the judge for incarceration? It was the DA [district attorney]. That was the other aspect of it that made it look like a criminal proceeding. So it was a terrible indictment of the DA. What are you doing running these people in? So they didn't want to admit to that.

MORRIS: How about [Senator] Alan Short? He'd been part of the original Short-Doyle Act.

PETRIS: Yes, he was a real pioneer. He really started the ball rolling, along with [Assemblyman Donald] Doyle in Contra Costa County. Short was in the senate at that time, and he was very helpful when we brought the bill over to the senate.

MORRIS: By then, you're in the senate.

PETRIS: I'm in the senate, but I'm a freshman.

MORRIS: Right. Did you have any problems as a freshman coming in to a senior senator's chair?

PETRIS: Yes, there were some problems, sure. Feathers being ruffled and this and that, but we tried to be very diplomatic and anticipate those problems. The first one we went to for help was Short. In



fact, we were looking for a vehicle, because we thought the original bill would probably get killed somewhere along the line, after passing the assembly where it was born. There was a lot of hostility in the senate.

At that time, they had a pretty poor attitude anyway. There were feelings between the two houses that weren't always that good. They considered the assembly a bunch of upstarts, spending too damn much money, hiring too much staff, doing all this running around stirring up things. We had the feeling they were going to throttle the bill the first chance they got. As a matter of fact, I believe when it finally passed, it may well have been a senate bill.

I don't remember now which one reached the governor's desk. It may well have been Short's, because one of the reasons we went to him was to use one of his bills as a vehicle in case the other one got sidetracked. He agreed to let us do it. Now, whether we had to do it or not, I don't remember.

MORRIS: A bill that Short had already introduced . . .

PETRIS: Yes, it was already in the hopper. We would have simply put all the provisions of the other bill into that. He was very cooperative and very helpful right from the beginning. That's why we added

his name to the bill. It wasn't at his request. We felt so grateful that he was helping keep this thing alive under some pretty heavy pressure that we asked if he would lend his name to it.

MORRIS: Were you getting pressure from the state employees? At that point, the state hospital employees were pretty large . . .

PETRIS: Yes, they were frightened about losing jobs. They were opposed; they didn't think it was a good idea. Let me put it this way: during most of the life of that bill, there was more opposition than support.

[End Tape 4, Side A]

[Begin Tape 4, Side B]

. . . state and local level, the state level was the state employees who worked for the hospitals who feared they were going to lose their jobs. They heard that all the hospitals were going to be closed down. There were turf fights at the local level, the local mental health directors didn't want to have the whole new program dictated from Sacramento, which is what we did. We just laid down a very thorough plan. We had specific objectives and specific requirements for the county that had to be approved by the county board of supervisors in order to qualify for state help, or they wouldn't get it.

The onus, of course, was put on the local mental health director. Well, they wanted to be free to do their own thing, so they were opposed to it. They finally came in at the very last minute supporting it. Then, we had the psychiatrists, north and south. They had a different organization in the north and the south. They also had a statewide. It was strange; I don't know whether the geographic division had anything to do with it, but the two sections had different theories on how to go about treating the mentally ill.

MORRIS: Really! How did they differ?

PETRIS: Yes. The basic issue was involuntary commitment versus voluntary treatment. One branch says that all the current studies show that when you incarcerate someone involuntarily, you create a tremendous amount of resistance and you never do establish the proper communication with the patient, and they never admit they have a problem. All they do is fight and resist, and try to get out. Whereas, if you talk to them and persuade them, they come in voluntarily; they've won half the battle.

We were a bunch of laymen walking around in this forest trying to sort things out, kind of like referees, among all these experts who were . . .

MORRIS: What did the southern Californians' professionals feel was the proper approach?

PETRIS: You know, I don't remember now who was for incarceration and who was for voluntary, but that's the lineup. I'm ashamed to tell you I've forgotten so much of that. I do remember I went to a lot of their statewide meetings; we all did. We went to their regional meetings. We met with individual psychiatrists; we met with their statewide officers frequently. I remember attending a meeting in San Francisco in which one of the speakers said that some kind of study had indicated that people who are put away, either in jail or a mental hospital, compared to others who had no treatment whatsoever, didn't fare any worse than those who had the treatment. Any worse. Others would point out, yes, well there are a certain number of suicides in the involuntary situations around the state. Here we were, like watching a ping-pong game back and forth. It was very confusing to us. We had a hard time trying to sort those things out. We had to look around the country and see what others were doing. The trend nationally was to go more and more for reducing the involuntary.

MORRIS: Yes, there had been a big federal study.

PETRIS: Big federal study, right. We had that. So we were finally

convinced that we had to, in addition to completely changing the system of incarceration and that five-minute hearing and making it so easy for people to run other people into the state hospital, we had to build up. . . . That's why we emphasized the local treatment and care, figuring that it's easier to persuade somebody to go see somebody in the local clinic on an outpatient basis than put them in some car and haul them off to a state hospital that's sometimes 100, 200 miles away from the home.

MORRIS: How did Dr. [James V.] Lowry, who was director of the Department of Mental Hygiene, how did he come down on this whole piece of legislation?

PETRIS: I think generally he was supportive. Lanterman worked very closely with him.

MORRIS: You said that most of the time you had more opposition than support.

PETRIS: Well, it seemed that way. We were constantly bombarded. Well, we just plowed through all that and hung in there, and gradually the more we talked with people and the more we showed them what we had learned, the more groups we got to go along with us. By the time the thing passed, we had a clear majority of support amongst the various interested groups. But it was very

difficult to get there. Even the Conference of Local Mental Health Directors that were the last holdouts, I guess, even they finally came around. Probably grudgingly, but they figured that was a good political thing to do.

MORRIS: They'd better be with you than against you if it was going to pass.

PETRIS: Yes.

MORRIS: They counted the numbers, too.

PETRIS: Yes, I think so.

MORRIS: Alameda County had what was considered a fairly good program at that point.

PETRIS: Yes, they did, as a matter of fact. But anything considered fairly good in this state at that time did not necessarily in some absolute standard merit much praise. Our statewide standard was so low that it didn't take much to rank above average. As I pointed out, we had five or ten beds for the whole county. What kind of . . .

MORRIS: No, there were more than that. There were about twenty beds over at Herrick Hospital in Berkeley about 1959.

PETRIS: That was later, wasn't it?

MORRIS: No, the program at Herrick preceded the beds in the county hospital.

PETRIS: Well, I guess I meant five or ten within the county hospital set-

up. But if you took all the beds for the whole county, of all kinds--public, private, etc.--you wouldn't find very many for a population of a million or so.

MORRIS: Right. I came across an article in 1972 that was talking about how it was already a problem then, which you mentioned, that we've never got in place what the legislature had in mind. From the beginning, what we heard was that there are not enough board and care homes, and places for recovering patients to live, aside from the kind of treatment they got. Were there any efforts to do something about that?

PETRIS: Yes, there were a lot of efforts. We stayed in close touch with the counties. We were monitoring and having the state people monitor the local compliance and that, in turn, even though the statute wasn't very strong on that, certainly implied they had to provide some kind of facilities and treatment. We kept the heat on the state Department [of Mental Hygiene]; the state department put the heat on the local people to do that. Each time, of course, the answer was we need more money. That was not easy to get out of Reagan. So we were caught in a bind there.

MORRIS: But you generally used the budget argument in encouraging departments to do what you wanted?

PETRIS: Yes, right. I remember during that controversy, there was an expert visiting here from one of the Scandinavian countries. I don't remember whether it was Denmark or Sweden; I think it was Denmark. I wish I still had those files; I think they're all gone. I wish I could have gone in and reviewed, because I had a lot of files on that, a lot of notes, which I've looked at since. But there was this doctor who toured our mental institutions in this state who was asked on departing to give an impression. He said, "It's deplorable, and it's very sad."

They said, "Well, how do you take care of folks back home?" He said, "Well, let me put it to you this way. We take better care of our cattle than you do of your mentally ill." And the reporter asked me about that, and I said, "Well, so do we!" [Laughter]

MORRIS: Oh, dear.

PETRIS: At that time, nurses were driving the garbage trucks at Sonoma [State Hospital], the hospital for the mentally disabled. The funds were so scarce, nurses were doubling as truck drivers, garbage haulers. The patients were getting a maximum of one bath a week, because they didn't have enough personnel to do the job. All these were budget considerations.

I went on a tour around the country; I was in great demand



at that time because we were one of the pioneer states, and I spoke in Seattle, I spoke up in Denver, I went to South Carolina I think three years in a row. The state director asked me to be the main speaker at their statewide mental health conference. What I did was give him the history of how we got into the problem, and what we were trying to do. Everywhere I went, I ran into alumni from the state mental health system who had quit because of the budget cutbacks or had simply lost their jobs.

I went to Massachusetts; I spoke to the women's auxiliary for the Massachusetts General Hospital, and the mental health facility there was the oldest in the country. It was about 130 years old, even at that time. They had one of the best in the country. I spoke to a large gathering.

Then I had a conference with their state director of mental health. His number-one assistant was a Californian. I said, "What are you doing here?" He said, "Well, Reagan did this and this and that, I had no choice." I ran into another one in Seattle, in South

PETRIS: Carolina there were one or two. It seemed that everywhere I went, there was a refugee from California's budget cuts.

MORRIS: When did you begin to see some connections between the homeless population and people . . .

PETRIS: Oh, that was pretty early on. Most of it first came to our attention in San Jose. They were hanging around the San Jose State [University] campus, terrorizing the students there, the faculty. Not because they were committing a lot of crimes that were serious, but here were these people that were homeless, mentally ill, just wandering around in a daze, wandering through the campus, into the buildings, the classrooms, disrupting. It was kind of eerie. We used to get a lot of complaints from people down in Santa Clara County.

MORRIS: Was this like five years ago, ten years ago?

PETRIS: Oh, ten years ago, easy. Maybe more.

MORRIS: One article I read said that the ideal situation was that the system for delivering service would improve and eventually be extended to corrections, sentencing and diversion and things like that.

PETRIS: Yes, that was considered the most advanced thought. We had a lot of meetings on that with the police people, law enforcement people of all divisions. Because all of a sudden, with this new freedom that the mentally ill had, they were slipping through the cracks and winding up in the jail system. Somebody wandering around, no intentional criminal, go in and do some shoplifting, disturbing the peace--various little things. And all of a sudden, the

police radar screen shows a lot of people who are mentally ill. We were very upset about that. One of the reasons was that, in this overemphasis to get away from this tyrannical and oppressive system . . .

MORRIS: In the hospitals?

PETRIS: Of incarcerating people so easily, we went overboard the other way. So a person who was in the hospital for a considerable period of time and was now going to be released had been on medication for a long time, and was given the medication on leaving the hospital, given instructions to see the local county people, and continue the medication. They just went off of it. They wouldn't show up. They were kind of like on probation, see; they weren't just released. They had to report to the local people. Well, a lot of them didn't, and even those who did and were given additional medicine just wouldn't take it. Either they'd forget, or they didn't want to take it anymore.

MORRIS: A lot of it was pretty powerful stuff.

PETRIS: Sure. Whatever benefits those medicines were giving them were lost. That happened all over the state. But it first came to my attention out of San Jose for some reason or other, because of the physical layout of the downtown and the proximity to San Jose

State. They weren't all necessarily homeless; they were probably living in ramshackle flea houses in the area. They weren't getting a lot of money. They were on some kind of assistance. We even got them into SSI [Supplemental Security Income] and stuff like that, if we found they were qualified.

MORRIS: But the procedure for county or city staff to make follow-up contacts with patients after they were released from the hospital . . .

PETRIS: Precious little.

MORRIS: Never really got worked out?

PETRIS: No, never even got off the ground. And then it was very difficult for those who tried, because they had no handle on people. There was no way they could compel them to do anything. They couldn't threaten to run them in again, because of the harsh definition that we adopted and said that you don't incarcerate someone against his will unless he's a danger to himself or others, or he's so gravely disabled that he just can't take care of his normal functions. Well, that's very severe. Then we had the problem of privacy in the statute. That got distorted way out of proportion. It got so bad that if the family lost one of its members who had some mental problems, they called the state

hospital to find out if they wound up there, they wouldn't tell him.

"Is my son John there?" "Well, I'm sorry, that's confidential under the law; we can't tell you."

MORRIS: "We can't tell you." Even though there's a parent going . . .

PETRIS: Yes, or grandparent, wanting to do something. Couldn't tell them. That was a problem. Then, in later years, we had doctors who were so strict in interpreting the law about danger to themselves or others that they took the position, unless that person committed a violent act during the three-day observation period, they're not eligible for incarceration for the next fourteen days. It went three day, fourteen days, ninety, and then a year. Well, most of them didn't get past the three days for further incarceration, because the doctors said, "Well, perfectly calm and normal when I saw him."

Well, they probably were so heavily sedated from before, in a lot of cases, that they were as calm as they could be.

Sometimes, they had to sedate them while they were there, during the three days. And then they'd say, "Well, they're very calm." So that was a problem. And then later, we had the problem of doctors fearing lawsuits, being afraid to certify that somebody should be incarcerated, because they might get sued. So you would have a trial with a jury--we also gave them the right to a

jury, which they didn't have before--and the doctor would be afraid to come in and say, "On the basis of my knowledge of this patient, he's dangerous and should be committed." They just were not willing to make that observation, or, in a lot of cases, they just made it very difficult for whoever was handling it to do the job, because they didn't cooperate. Under the privacy thing, they wouldn't talk about it; then they didn't want to come into court. So they had a terrible time trying to commit people. Couldn't get the medical evidence. Unless they had this guy get up and clobber someone in front of the jury, there were very few being committed that way.

MORRIS: In other words, you're saying that the experience was that some people out there in the community and the hospitals took the civil rights provisions more strictly . . .

PETRIS: More than we had intended, a lot more. Then, on the other hand, I got into fights with public defenders, with whom I'm normally very sympathetic. I think they're real heroes in our society. They're overworked and underpaid and so on and so forth. A lot of them took the position that was also. . . . Everybody had tunnel vision, that's the problem. I made a million speeches on tunnel vision, in that field and the field of air pollution, and every field I

got into I ran into tunnel vision. Everybody just looking at his own narrow approach, and doesn't have any wide view at all.

Here's a public defender. So I'd sit down and I'd talk to someone. I'd say, "What is your mission in life?" "Our mission is to save the defendant from incarceration." I said, "What about his right to treatment? Let me put a question to you. You've seen a lot of people who are genuinely mentally ill. Is it still your mission to keep them away from treatment, because that's how you win your case? It's like an acquittal?" "That's right."

"All right, let me ask you. Take the most severe case you've seen, and put yourself in the shoes of that patient. You get arrested, as it is, apprehended, and you run through this process, and you've got a hell of a good public defender who gets you off. So now you're scot-free and you get no treatment. Your family can't treat you because you're acting up, or because you won't cooperate, or because you haven't shown the dangerousness that's required, and yet you're seriously mentally disturbed and you need treatment. And you go through this for five years, and all of a sudden through some miracle, wham. You're sanity is restored, you have no further problems. What are you going to tell your family when you get back to them?"

PETRIS: "What do you mean?" "Well, what are you going to say? 'Nice seeing you?' Well, I'll tell you what I would say. I'd say, 'Damn it, don't I have a right to treatment? If I had broken a leg or had a heart attack, you would be swarming all over the place with doctors and nurses and this and that. Why the hell didn't you get me treatment?' 'Well, because you resisted.' 'Well, baloney I resisted! Of course I resisted, because I didn't know what the hell I was doing.'"

Now, the extreme case happened in Contra Costa County, where one of those over-eager, over-zealous public defenders seized on every defense available in the law, including some rather sophisticated and somewhat technical ones, according to what the judge said, a case of a guy that had very violent tendencies, but he didn't express them against others. He was a danger to himself. He had a pattern of going into a bar, a lot of strangers, and picking on the most ferocious-looking guy in the place, baiting him into a fight, so that this guy could punch him out.

Now, here's a hearing, and this defender is doing everything he can to prevent this fellow from being incarcerated, or from staying in. I guess he was trying to get him out on a writ of habeas corpus. The psychiatric social worker's there, pleading with



the judge with tears running down her face and saying, "Your Honor, I've been with this man for a long time now; here's the pattern. If he is released, he's going to be dead. He's going to be dead within a matter of days, because this is what he does."

The judge says, "I'm sorry, but counsel has pointed to this and this and that, and I have no choice; I have to release him." He was dead that night. He walked straight into a bar, and walked right up to some total stranger and insulted him and swore at him and did whatever it was to just provoke the hell out of him. He was killed.

So, I talked to this woman. I said, "What did you do?" She said, "I went back to the defender and said, 'I hope you're proud of yourself'" I said, "Give me his name; I'll call him too." And I did. I said, "What the hell kind of an interpretation of the law and your mission is this supposed to be? You feel heroic because you freed someone? You're not freeing him from prison. We're talking about treatment."

Then we had the other fights relating to treatment. Of course, we eliminated lobotomy in the statute, but they still had the electroshock. There was a big controversy on that. Some people still believe in it very strongly. I happen to know a patient

PETRIS: who went through it more than once, and was helped by it tremendously, but I was always opposed to it. You can get good arguments on both sides. And of course, it can be abused.

MORRIS: Did you take some of these questions up in the Senate Judiciary Committee?

PETRIS: Oh, sure.

MORRIS: What kinds of things could the Judiciary Committee do as it became evident that the interpretation was going in ways they hadn't considered?

PETRIS: Well, for a long time, there was a reluctance to tamper with the darn statute, because at that time it was still new, and they thought we ought to let a reasonable time go by; it was bound to have some mistakes and problems. They tried to take the long view. They were getting enough good reports of people who were very pleased with it that it was accomplishing its primary purpose and this and that, it couldn't accomplish everything at one time. You know, if you're going to save a person from the abuse of a very harsh and oppressive system that didn't give a damn whether you were mentally ill or not, but just putting you away; and then you made it so difficult for that same mechanism to put away someone who really needed it, you're creating all kinds of other

problems.

So, yes, I used to talk to members of the Judiciary Committee, and I was tormented personally. I just didn't know what the right thing to do was. I didn't know whether these horror stories which we started to get were just a drop in the bucket and were inevitable, just like so many automobile accidents when you have automobiles out there, and whether a change in the other direction would get us back to where we were before. Nobody wanted to do that. Everybody agreed that we had to have reform. But you had all these pockets of problems that you had to face.

It's a very complex problem, and I've met with families who have been just driven up the wall by people who I happen to know very well for years, and others who were strangers. They have four or five children, one of them gets a mental problem of the worst kind, acts up all the time, literally terrorizes the family. Not by threatening to kill them, but all these crazy things they do. They get up at two in the morning and they disturb the whole neighborhood. They just do terrible things, and absolutely will not listen to reason because they're mentally ill. You can't get them to go see a doctor voluntarily. And in desperation, they'll go to every

PETRIS: agency they can think of. Nobody can give them any help. "Well, did he hurt anybody? Did he beat you up?"

"No." "Did he threaten you?" "No." "Well, then, we can't help you." I can't face a parent who comes to me with a problem like that and say, "Well, you have to be patient because in the long haul, things are going to work out." So I went through a lot of anguish.

MORRIS: Do you get a lot of that kind of question coming into the office, constituents bring those kinds of concerns in?

PETRIS: Yes. Others called simply because they knew I had something to do with the legislation. They weren't just constituents; they were from all over.

MORRIS: From all over the state.

PETRIS: Yes.

MORRIS: Could we move that discussion over a little bit to the correction sentencing? Because that's gone the same kind of a full circle, from determinate at one point, indeterminate sentencing was supposed to be the humane thing to do. And then, in the years that you've been in the legislature, it's kind of worked its way . . .

PETRIS: Back to determinate.

MORRIS: Is that something that the Senate Judiciary Committee spent a lot

of time on?

PETRIS: Oh, yes. In fact, it was our house that initiated that bill, with Senator John Nejedly of Contra Costa. He brought in a bill that created the determinate sentence system.<sup>1</sup> Oddly enough, he was a DA before he came to the legislature. So he wasn't one of those bleeding hearts who say you're mistreating the prisoners. He just thought it wasn't working properly in the indeterminate thing where they could keep postponing a person's release time indefinitely. He felt that if you had a specific time and you had a goal, the prisoner would be more likely to respond to it. I don't know if it was right, to tell you the truth.

MORRIS: Did the judiciary committee go through the same kind of process of study and hearings and development?

PETRIS: Yes, it wasn't nearly as lengthy as ours. Just the normal. We may have had a year or two on that; I'm not sure. Nejedly is always very thorough, very comprehensive in the work that he does, and he's very bright. I don't remember now whether we passed that first time around. I think that might have gone a couple of years,

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<sup>1</sup>Uniform Determinate Sentencing Act, S.B. 42, 1976 Reg. Sess., Cal. Stat., ch. 1139. See Oral History Interview with John Nejedly, Sacramento: California State Archives, 1990.

at least. It was very controversial.

MORRIS: From different pieces of the professional world, or from the general public?

PETRIS: Well, a lot of the law enforcement people were against it, and a lot of the corrections people were against it. They wanted a handle on people, and they felt that they got better cooperation from the prisoner if he knew that by behaving, he could get time off and be able to get out more quickly; on the other hand, if he didn't cooperate, and he violated certain basic rules, his time could be extended. Not forever, but they could stretch it out pretty well.

MORRIS: Was it that Senator Nejedly brought the question to the committee, or the committee was discussing, "We aren't getting the results we want in terms of . . . "

PETRIS: Well, that discussion's ongoing all the time, even now. It never ends. Nobody's satisfied, because we don't seem to be able to solve the darn problem. But he brought in the specifically informed bill. I forget who was governor at the time; I don't remember whether it was Reagan or Jerry Brown, come to think of it. I don't remember the years. But it was his bill, and it caused him a lot of concern, both as a DA and after he was a senator. He felt it would really improve the system to go that route.

MORRIS: Did he come into the legislature with this idea in mind?

PETRIS: Oh, I don't know about that. He may have. He was a prolific author. He carried bills on a lot of subjects. Water was one of his favorites. He was very good.

MORRIS: Several people have told me that you're more likely to stay in the background and let somebody else carry the bill. Is that a true thing?

PETRIS: Well, I guess it is, most of the time, yes.

[End Tape 4, Side B]

[Begin Tape 5, Side A]

MORRIS: OK.

PETRIS: In a lot of cases, I do stay back and let somebody else go for it. There are always plenty of guys around who want to carry something, many times after I've done the foundation work, you might say. For example, on Lanterman-Petris-Short, I didn't stay on that for years and years and years. Other people got interested. More recently, it's been Bruce Bronzan in the assembly. I have sort of stayed in the background, it's true.

But not always. There are other times, especially when we're getting into a new field. Air pollution I stayed with for quite a long time. Now, I haven't carried anything on that for

quite a while. There are other subjects the same way. Pesticides; I never have given up on that. Protecting the farm worker from the ravages of pesticides. It took me twenty years to get a bill passed. I got a standing ovation finally when the bill came from the assembly and was passed by the senate. It was a very moving and rare moment. Then the governor vetoed it, but anyway.

I'm still working hard on the pesticide problem.

MORRIS: The problem's probably changed in those twenty years, too.

PETRIS: Yes. Well, the pesticides have changed. They're worse and there are more of them.

MORRIS: As somebody with a legal background and legal practice too, what do you feel about the capital punishment debate which has also gone back and forth? Is that one that you have taken some leadership on?

PETRIS: Well, I've been active in it. I haven't taken any leadership standpoint in carrying legislation, but I've taken leadership in all the debates that come before the committee. Publicly, when I see an opportunity. . . . I guess the most recent was the [Chief Justice] Rose Bird fight in the supreme court there, that all centered on capital punishment. I was very, very active supporting the court. I made about ninety speeches up and down the state.



MORRIS: During the election campaign?

PETRIS: Yes. I was on TV both north and south, and radio, public forums, wherever I could.

MORRIS: From your point of view, was the discussion more a political matter to try and unseat her than on the merits of the legal issues of the way the supreme court was handling things.

PETRIS: Oh, I'm convinced of that. They did it very cleverly. They pushed all the right buttons and the buzzwords, and the emotional responses. Very volatile issue. The issue is preying on the fears of the people, which are certainly out there, and certainly justifiable. Very high crime rate, high rate of homicide, a lot of people getting killed. The majority obviously being convinced that the way to solve the problem is to impose capital punishment. I think that was the core of it.

I think there was a lot more to it than that. I think that there were some very conservative forces that were more concerned. . . . The insurance industry, for example, was very active in opposing Bird. They were more concerned about the social issues. Others were concerned about the consumer issues. They didn't surface as much; but they were out there, and they were active. They wanted a more conservative court on that level.

MORRIS: In terms of potential judgments against industry?

PETRIS: Yes.

MORRIS: With an economic consideration?

PETRIS: Yes. And it's starting to show. There have already been several decisions that really beat up on the consumer. One of the more recent ones is the wrongful-termination line of cases where companies arbitrarily fire people for no good reason, that is very unjust and unfair. There was a line of cases developed under the court's leadership awarding damages for that, some of them punitive. Pretty heavy damages. Well, the lead case, the ARCO [Atlantic Richfield Company] case, involved a high-level executive. It wasn't some janitor sweeping out the factory or the plant. A very high level executive had been ordered to do something that was clearly against the law. He said, "You can't order me to do that; I can't do that. I'm committing a crime." "You do it or else." He refused to do it and they fired him, and he sued the company and got a damn good judgment.

Well, that's a pretty clear set of facts. Now, between that and the case over here, which isn't so clear, there's a lot of grey area and hotly contested facts; you have them developed in a long line of cases to discourage employers from being that arbitrary.

Now, this supreme court comes along and really cuts back on the effectiveness of that decision. They did the same thing on the Royal Globe [Insurance Company] case on the matter of good faith required of the insurance company in dealing with people involved in automobile accidents and injuries. The Royal Globe case was a high-water mark that provided if the company arbitrarily refused to deal in good faith with the injured party, then the insured, who's being exposed to liability over and above the amount of the insurance, had a right to come in and sue the company. We had a lot of good judgments on that.

Well, this court reversed those, just about knocked those out all together. One by one, they're coming in with consumer and other kinds of social-issue decisions that are, I think, very damaging to the general public. That's the real reason for the attack on the Rose Bird court, I think, more than the crime stuff.

MORRIS: The crime stuff is the more visible, affects public opinion and reaction.

PETRIS: Yes, more visible, easier to sell.

MORRIS: What does that say about the way judges are appointed? Is this something that the Judiciary Committee has reviewed? I know there have been various pieces of legislation during the Reagan

administration, but for some reason, they never got through the legislature. There were a series of bills to set up an independent commission.

PETRIS: When he was governor?

MORRIS: Right.

PETRIS: Oh, yes.

MORRIS: [Senator] Donald Grunsky introduced bill after bill . . .

PETRIS: Yes, there were several measures. I don't think I supported very many of them, because they were based on a false hope and a false premise. Their theme always was, take the politics out of appointing judges. Well, that's impossible. I mean, you've got politics determining a decision at every level of our life, corporate level, church, fraternity. You're not going to remove the politics of it; you're talking about human nature. The model they pointed to was the state of Oklahoma, which removed it completely from the prior authority, I don't remember what that was. It must have been the legislature and the governor. Turned it over to the state bar.

MORRIS: Oh!

PETRIS: They said that the state bar would make the recommendations, and the governor would appoint them. Well, it wasn't long before

they filled some vacancies on the Oklahoma Supreme Court, and not long after that, I think there were one or two Oklahoma Supreme Court justices that were prosecuted for corruption. So much for a cleaner system under the state bar. They didn't take any politics out; they just transferred the political function to somebody else.

It's just like reapportionment. You get a blue-ribbon panel to do the reapportioning, take it away from the politicians who are only working in their own interests, you'll get a fair reapportionment out of it and the public will benefit. And my response has always been, show me ten persons out of this state that know enough about the problem who aren't political, and I'll show you somebody who just came here from Mars. I mean, you're working against yourself. How can you say you're going to appoint a knowledgeable, intelligent person who will jump into this problem and do the right thing, who's never been political?

MORRIS: Well, how can a governor make those selections in a manner in which he's not going to be challenged by the other party? The objections to Reagan's judicial . . .

PETRIS: Well, the party's never had a role in it. The legislature's never had a role in those political appointments. We don't pass on it. The

superior-court nominees go in, nobody has the authority to block them. At the appellate level, nobody has the authority. Instead of the legislature, at the appellate level, there's a three-person group consisting of the attorney general and the chief presiding justice of one of the appellate levels, and the chief justice. There's three persons.

MORRIS: The Commission on Judicial Appointments.

PETRIS: Yes. The legislature has nothing to say about it. And the same is true of the supreme-court appointments. They have to be cleared by this three-person panel. Remember Deukmejian as attorney general blocked appointment of [Edward] Panelli by Jerry Brown. There was one other opposed, so that killed it. But later, when he became governor, he appointed the same guy. He appointed him to the appellate court, and then he put him on the supreme court. That was a Jerry Brown appointee.

MORRIS: Why would he oppose a person as Jerry Brown's appointee and then appoint the same person himself?

PETRIS: Well, I think his reason was that he didn't want to see a new appellate division either created or expanded down in Santa Clara County, and secondly, he didn't want any Brown nominees to go on there. But I guess after he got in, he reviewed the thing and a

lot of people came to him, convinced him this guy was a very good man, so he appointed him.

MORRIS: There's a general opinion that governors tend to at least talk informally with the legislators from a given county about people they're considering nominating.

PETRIS: Depends on the governor. That's the ideal. I don't know; from what the Republicans tell me, Deukmejian rarely does that with them. Jerry Brown never did it with me.

MORRIS: He had his own in-house group of people that looked over the judicial appointments?

PETRIS: Yes. Pat Brown would confer, yes. Jerry Brown, all the years he was governor, I made several recommendations to him for appointment, he picked one. That took a running battle of a year's duration before he finally did it. Now, he made good appointments; I'm not objecting. I think he made some very good appointments at the county level and all the way up, appellate, supreme court. He appointed two men out of my district for the supreme court. One of them died, [Judge] Wiley [Wiley William Manuel], and [Judge Allen E.] Broussard replaced him.

MORRIS: Well, and then you get what is equally of interest to people outside the system, you get somebody like [Associate Justice]

Frank Newman being appointed and then going off the bench.

From the outside, it looks like a supreme-court appointment is a marvelous lifetime tenure of a front-row seat.

PETRIS: Right. And then when you see him leave, it's puzzling. He probably would have got dumped along with the others, though.  
[Laughter] He was smart: he saw it coming, I guess.

MORRIS: You think so? Do you think that that. . . . That's the first time that the voters have turned down the confirmation of supreme court justices.

PETRIS: I think it is, yes.

MORRIS: Is that likely to have an effect on either what kinds of people are appointed or in how the survivors respond to issues?

PETRIS: Sure, I think so. I think it's an unfortunate precedent.

MORRIS: By extension, is it equally unlikely that you can take politics out of judicial decisions?

PETRIS: Well, it's more likely that you can take it out, as long as the judiciary is independent and not subject to easy removal on arbitrary grounds. That's why I prefer the federal system where you have lifetime tenure.

MORRIS: With no reconfirmation.

PETRIS: No vote. But they are subject to impeachment, and there have



been a few, very small number, of federal judges impeached, the most recent one being in Nevada for income tax violations. But we don't have that. We don't have that kind of independence that they can assert. The precedent that's going to someday really hurt the right wing that they've established is they're going to have some right-wingers on that court that are going to go so far to the right, they're going to get recalled by the public under some very liberal administration. The thing goes back and forth. I can foresee sometime in the future a court that just goes overboard--I don't mean on crime, but on the basic social everyday issues--that there can easily reach a point where some fiery leaders can put together a movement that says, "We're not going to vote for their confirmation," and dump them the next time around.

MORRIS: At the state level.

PETRIS: Statewide.

MORRIS: Is that more likely to happen in the climate that we seem to be in where there's increasing use of initiative measures?

PETRIS: Oh, yes. Sure.

MORRIS: Very curious altogether.

PETRIS: I think a judge ought to be free to make his decision without fear that somebody's looking over his shoulder and is going to

challenge him on every decision, that he's going to be under threat of removal. That's not an independent judiciary. The Federalist Papers made that very clear, particularly [Alexander] Hamilton's contribution. He's written some marvelous prose on the need of the judiciary to be free of the appointing authority, whether it's the crown or the Congress. I quoted extensively--but it didn't do much good--from Hamilton during my debates and speeches and things.

Now, that's not to say that a judge lives in some vacuum. A judge lives in a certain kind of society, and there are certain basic values, moral principles, political beliefs if you want to call them that, and the judge has to recognize that he or she lives in that kind of a system and that kind of a climate. So I think the passionate appeal for a truly independent judiciary is often misinterpreted to mean a judge can just do any damn thing he wants, regardless of what kind of world he lives in. That's why I say it's more likely to take politics out of a judicial decision than of a governor's or legislator's, in appointing a judge, for example. But I don't think there's any human institution that you can purify completely and say there's no political considerations here whatsoever. That's impossible.

MORRIS: But is the idea, then, that wise judges will temper their personal beliefs in consideration of the general good of the community?

PETRIS: Right, exactly.

MORRIS: Then why is there this persistent effort of whoever's governor to make sure that they look for appointments to the courts that are going to maintain the governor's point of view on various subjects?

PETRIS: Well, that's the governor's view of a just world. I think it comes down to that. Deukmejian's view is we have to crack down: "We've got a society full of crooks and criminals, crime-ridden, and murders, and I need tough hanging judges." You look at the source of his appointments, you'll find a very high percentage come of the district attorney's office all over the state. They're all prosecutors, prosecution-minded. That, in my judgment, gives an imbalance. I think you need some of those, sure, but also I think more than that you need attorneys who have grappled with the everyday problems of people out there in the real world, in business, in home life, all the various problems there are. Automobile accidents, attorneys who have on a day-to-day basis lived with a client that suffered through things, held his hand. Not just criminal stuff. Not just criminal defense or criminal prosecution.

Bad as it is out there, most of us are not involved in crimes during our lifetimes.

MORRIS: That's a reassuring statistic; that really is. What about situations like the appointment of [California Supreme Court Chief Justice] Donald Wright? I gather Ronald Reagan decided that this person was not making decisions that he expected him to make? Was that something that . . .

PETRIS: Well, that's the great redeeming feature of the whole system that we have. Donald Wright was probably his best appointment. I don't know how well Reagan knew Wright before he appointed him, but he apparently believed that Wright was a solid Republican conservative that would pretty much carry out Reagan's philosophy on the bench. Even if he didn't talk to him about that, that's what he believed. Wright showed that he was going to call shots the way the law required, and the way he interpreted the Constitution and the statutes. Many of those decisions were very disappointing to the governor, even though. . . . In the crime field the leading opinion in the case abolishing capital punishment in California was written by Wright.<sup>1</sup> Reagan went through the roof.

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<sup>1</sup>People v. Anderson (1972) 6 Cal. 3d 628.

Reagan showed such a small understanding and perception of our system, I just am shocked. I know that Reagan actually talked to Wright to try to influence him on his decision from time to time.

MORRIS: During the course of the case?

PETRIS: At the time that he was the chief justice, and Wright just rejected him totally. Period. He was shocked that the guy would even think to try, but Reagan thought it was OK. The old boy's attitude . . .

MORRIS: The governor himself, or one of associates?

PETRIS: The governor himself.

MORRIS: Really.

PETRIS: Wright has said as much. I heard him say it once myself, at some kind of gathering. It's not a secret. It's also been reported in at least one book. There's a book written about the court and the Rose Bird thing by a woman journalist whose name escapes me.<sup>1</sup> I don't seem to remember anything.

MORRIS: Medsger?

PETRIS: Yes, Betty Medsger. She alludes to that in her book, as I recall.

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<sup>1</sup>Betty Medsger, Framed, The New Right Attack on Chief Justice Rose Bird and the Courts (New York: The Pilgrim Press), 1983.

MORRIS: Did you think that there was a chance to keep Rose Bird and her two associates on the court? Did you think that was a winnable campaign?

PETRIS: Yes, I did in the beginning. I thought if we went out there and appealed to the public, talked reason, as Adlai Stevenson said, "Let's talk sense to the American people." I sure was wrong. I've never run into such hatred and hostility in my life. It was even worse than Prop. 14.<sup>1</sup>

MORRIS: The fair-housing initiative.

PETRIS: That's another one where I took a two-to-one beating. Yes. That year, I didn't campaign at all for reelection myself. I got a good campaign manager, asked her to recruit students from all the campuses around and high schools, and cover every precinct, three-deep if possible. We did it.

MORRIS: In your behalf, or . . .

PETRIS: Yes, in behalf of my candidacy. Put out the brochures and they covered it door-to-door; they were magnificent. So I spent all my time on Prop. 14, went around making speeches against 14. Lost it two to one. We did better than that in my district; I don't

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<sup>1</sup>Proposition 14 (November 1964).

remember how we came out. Just as in my district, my people voted to support the court.<sup>1</sup>

MORRIS: That sounds like they heard you.

PETRIS: I don't know; I think that's just the nature of the district. I'd like to take credit for that, but I don't dare.

MORRIS: Do you see some parallels between those two campaigns, the Prop. 14 fair housing referendum and the Rose Bird . . .

PETRIS: Oh, yes.

MORRIS: Were some of the same people involved?

PETRIS: No, I don't think so. Well, the same institution, you might say. Real-estate people, for example. A lot of real-estate people were opposed to the Bird court. I could never figure that one out, except for their conservative philosophy. But the time spread is so far, I don't remember individuals being active in Prop. 14 and the same individuals turning up on the court campaign. I'm sure there were. It's the same philosophy, though.

MORRIS: Not having made any change in general in that particular viewpoint in that fifteen-year period.

PETRIS: That's right.

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<sup>1</sup>Confirmation of state supreme court justices, November, 1986.

MORRIS: Were you also campaigning for Pierre Salinger in the Prop. 14 year? He was running for the U.S. Senate that year.

PETRIS: Well, let's see. In the primary, I was for Cranston. But in the general, yes, I certainly was in support of Salinger, but I didn't spend much time on his campaign. I don't remember how many appearances I made and speeches, but there were a lot of them. There must have been 100, 120. Most of them in the district, but I also went to other places. I went down to Monterey and Carmel. I went to San Francisco. I covered the whole Bay Area. I was on the speaking committee; I went wherever they asked me to go.

MORRIS: On the speaking committee for the Democratic State Central Committee?

PETRIS: No, it was just the Prop. 14 people headed by Episcopal Bishop [James] Pike, although the party made an endorsement against it.

MORRIS: Yes. But it was an issue campaign rather than part of the official state central committee . . .

PETRIS: It was just my own decision to go out and fight as much as I could against 14.

MORRIS: Did you spend much time over the years on statewide party, the party convention and . . .

PETRIS: Yes, I've gone to nearly all the conventions, but in recent years, I



haven't been very active. In the early days, I used to serve on the committees, this committee or that committee, platform resolutions, one or two of the various committees they had. Usually just served on one. But it's been a while since I've served on any committees.

MORRIS: Is that a matter of sort of duly taking your turn and doing the chores?

PETRIS: Yes, right.

MORRIS: There were newer people to come along and . . .

PETRIS: Newer people, yes. I never was much for getting into the power part of the game, power struggles for this faction or that faction, unless there was a clear ideological difference.

MORRIS: What about things like, wasn't it 1968 when [U.S. Senator] George McGovern was instrumental in seeing that lots more delegates were chosen so that there would be greater representation of women and minorities? Was that something that took a lot of convincing within the Democratic party in California?

PETRIS: Yes, I think a lot of people were opposed to that. They thought it was going too far. Some of the more conservative elements in the party were opposed to it. I don't know whether it was a bitter fight. I know there was some opposition that had to be overcome.

MORRIS: Which side were you on, or were you involved in that in negotiation?

PETRIS: Not very much, no. I generally supported it, and watching the convention I thought it was magnificent, although it was clear that we were out of step with the general public, having the disabled caucus and gay caucus and black caucus and Oriental caucus. The great American public wasn't ready for that.

MORRIS: And they showed it by not returning Democratic presidents very often?

PETRIS: Yes, sure.

MORRIS: How about the local version of that, which has been the development of a really strong two-Democratic-party system in Berkeley and Oakland in the last fifteen years?

PETRIS: Well, it goes back more than that. That's always been the case in Berkeley. It's spilled over to Oakland from time to time, not very often. I remember my earliest days in the CDC, California Democratic Council, I was vice chairman when Cranston was statewide chairman.

MORRIS: Right in the beginning.

PETRIS: Yes. The elections in the 7th Congressional District, which covered Berkeley, every year when we were in the CDC, we elected the

director for the district. In fact, I forget now, but I think we had two directors for each congressional district. I don't remember whether there were two in the party structure or two in the CDC structure, but whatever it was, year after year, that office, as an example, would be so hotly contested by the two wings of the Democratic party that the outcome was frequently decided by one, two, or three votes. It was that close.

Whether it was held up here at some interim thing or on the convention floor where they had to make the decision, always a one vote difference, two votes. Three at the most, year in and year out. So it's not a new phenomenon. Those strains go way back.

[End Tape 5, Side A]

[Begin Tape 5, Side B]

PETRIS: . . . the leader of one faction was [ ] Betty [Witkin]--her ex-husband was [Bernard] Bernie Witkin, a very well-known legal scholar and author. Betty Witkin was his wife. I remember they were separated at that time. They got divorced a long, long time ago. She was a leader of one faction, the more conservative faction, and was always at odds with the others. But she had a lot of power for a long time. She managed to win a lot of those

fight. That was long before the April Coalition.

There was another person that was elected once, who was a psychiatrist, [James] Jim Whitney, committed suicide later. And later, when I got into Lanterman-Petris-Short, I learned that the suicide rate amongst psychiatrists is enormous, shockingly high.

MORRIS: It's a bit unsettling.

PETRIS: Yes, it sure is.

MORRIS: Jim Whitney was more . . .

PETRIS: Can I get you a little more coffee?

[Interruption]

MORRIS: Could we go back? You were talking about the two different kinds of Democrats existing from early history in Berkeley. It sounds like Jim Whitney was of a different school of thought than Betty Witkin.

PETRIS: I think he was, yes. I'm trying to remember now some of the names of the leaders on both sides. I'm not so sure. He may have been her ally.

MORRIS: Whitney ran for the city council a couple of times and didn't get elected, but he was part of the group that eventually elected Arthur Harris and Bernice Hubbard May to the council.

PETRIS: Yes, right. They were the pioneers that got elected.

MORRIS: Right, in getting any Democrats at all onto the city council.

PETRIS: Yes. Then she got appointed to, what was it, the East Bay Regional Parks?

MORRIS: Bernice May was appointed to ABAG [Association of Bay Area Governments].

PETRIS: Oh, ABAG.

MORRIS: But definitely was interested in regional kinds of things. But by the time you got into the legislature, how did you. . . . You're beginning to have a Democratic majority on the Berkeley city council, and there were Democrats beginning to be elected to the Oakland city council. But it seemed to me like, as soon as you got a Democratic majority, then there began to be some splinters. There was the group that eventually became the April Coalition, and they were active in Oakland too. As a legislator, it looked like you put in a fair amount of effort trying to stay on good terms with all those various groups.

PETRIS: Well, I felt I should, because I was supposed to be the Democratic representative from the area, and I was supposed to try to represent everybody, including the Republicans for that matter. But there was a strain that went through our people that is still bewildering to me to this day. It was very clear in the CDC. The

CDC always had its factions, too. It seemed to suggest that no matter who you were and how dedicated, how much of a partisan warrior on behalf of the causes, the minute you got elected, you crossed the line into enemy territory. You were a legitimate target of attack. That's the attitude they seemed to convey.

Some of them just used to turn on an elected official just at the drop of a hat.

MORRIS: That's very strange.

PETRIS: If you examine some of the battles that we had, that's the only way I can explain them. They didn't seem to have any solid ideological bases for the differences. They were always more liberal, you might say, or more radical than the person who got elected. For a long time, that attitude seemed to me to be a prevailing one. I used to talk about it, and people would agree. That happened to a lot of the legislators who came up through the CDC ranks. Once they got to Sacramento, they lost a lot of their people.

MORRIS: Did you talk about this with your Republican colleagues? Did they have a similar experience?

PETRIS: No, they didn't seem to have that problem. They were always much better disciplined than we were. I don't know if discipline's

a good word; they closed ranks. When the CDC was formed, we copied the [California] Republican Assembly. The assembly was the one that fielded candidates and backed them up and so forth. We really took a page from that.

MORRIS: I've been told that [then Alameda County District Attorney] Earl Warren was one of the people who helped put the Republican Assembly together.

PETRIS: Yes, that's my impression.

MORRIS: Were you paying attention when he was district attorney, or interested in . . .

PETRIS: No, not that much. That was a little early for me. When he was attorney general. He was always a likable guy; I didn't remember much about him as DA at all. I do remember him as attorney general, and then as governor.

MORRIS: Was he enough of a figure on the landscape that you ever thought of maybe becoming a Republican?

PETRIS: Oh, no. That thought never entered my mind, at any time. I grew up right from the beginning, my father was a good, solid, hard-working laboring man. He was a mechanic working for S.P. [Southern Pacific] Railroad at the roundhouse. Terrible, dirty, grimy, wet, cold job in a pit underneath the engine, to bring in the

locomotives for servicing. He was a truck man. The truck is what they call the set of wheels, which forms a bed on which the locomotive sits. His job was maintenance for the truck; that's why they called him the truck man. So to do the job, see, they bring the locomotive into the roundhouse. It's literally a round house, with a turntable in the middle. So they bring the engine on there and they turn it to point . . .

MORRIS: Turn it back so it can go back out the way it came in.

PETRIS: When it's open, goes into the opening. Underneath, there's this pit, it's about four feet, and it's all concrete. It's got water and oil dripping into it all the time. The only way you can get access is from underneath. He spent forty-two years doing that; really tough, noisy. His hearing was affected; his hearing was impaired. He never got so bad he had to wear a hearing aid, but he had hearing problems anyhow.

I'm not sure the number of years, but it was a long, long time. The only job he ever had after he came down . . .

MORRIS: Really grimy work.

PETRIS: When he first came to Oakland. He worked for the railroad up in Idaho, and got married in Idaho. He came to Oakland on the honeymoon, actually, and never left. He liked it so much down



here, he decided to stay. They had no property to go back to. Everything they owned was in the suitcase. He ran into an ex-boss of his on the street, just by accident, who was very pleased to see him and said, "Are you working?" "No, I'm looking for a job." He said, "Come and see me. I'll get you a job with S.P." And he put him to work, started in San Francisco, came over to Oakland.

MORRIS: Had he been working for the same railroad in Idaho?

PETRIS: No. Up there it was Union Pacific [Railroad Company]. Down here it was Southern Pacific.

MORRIS: How did a young fellow from Greece end up in Idaho?

PETRIS: Well, it's a very common pattern. It's not the choice of Idaho; that was someone else's choice. But the immigrants in those days, I think it was true of all the southern European countries, there was always somebody there ahead of you. So if there's somebody from the village that lived in a given place in America and you wanted to go to America, you'd write to him. He would help you get there.

In my father's case, he had an older brother Peter who was there in Pocatello, and he had several cousins. They were all from the same village. When he got to Pocatello, they were all working in a railroad shop, the local railroad shop and some out in what

they called the section gang. They rented a house and they all lived together; there were ten or twelve of them. One of them would stay home, do all the housework, do the cooking, while the rest brought in a paycheck.

MORRIS: Take turns keeping house?

PETRIS: They'd take turns. That's how they operated at that time. Then later, he was sent out on a section gang. They lived near the tracks in these little cabooses, or little huts--little houses--right beside the railroad. At one given time, he was in a converted boxcar. His roommate was also from Greece, but he wasn't related, he wasn't from the village.

They got to be very close friends, and my father impressed him so much that he said, "I want you to marry my sister." So he sent for his sister, and they got married. That was up in Idaho, and then they . . .

MORRIS: They came down here on the honeymoon. That's wonderful. Was he involved in the union organizing around the railroads?

PETRIS: Yes, he was up there. He was always a strong union guy. He wasn't an organizer, but he was always a strong union supporter. So we grew up in that tradition. He was always disappointed, though. He used to read a lot, certainly always read the daily

press. Then there was a union newspaper called Labor. It was national. It was a railroad worker's newspaper, all the different branches of railroad workers, they all got together and had this one paper.

He was always disappointed in his fellow workers. He said, "I don't understand. They don't know what their own interest is." A lot of them voted Republican, for example. A lot of them didn't want to support the union. He used to tell me, "If you ever get into politics, you want to get ahead in this world, you better not ever rely on the labor guy, because he's just not reliable. He just doesn't understand. He lets people lead him around by the nose, he's easily deceived, and he votes against his own interest. I talked to people working down there, they voted for [Herbert] Hoover! Can you imagine voting for Hoover?" Stuff like that.

He worshipped and adored Franklin Roosevelt. In fact, the very first organization I ever belonged to, I was one of the founders with some kids in the neighborhood. We were in grammar school. It was called the NRA [National Recovery Administration] Roosevelt Boys Club. [Laughter] Our dues were five cents a week, and we used to save our money and when we had a pot, we'd go to the local bakery and get day-old donuts and

PETRIS: have a party.

MORRIS: That sounds like a good thing for . . .

PETRIS: Day-old donuts and snails. We got into a parade one time as the NRA Roosevelt Boys Club. We just kind of tagged on at the end.

MORRIS: That must have been fun.

PETRIS: Made a little sign.

MORRIS: There were quite a lot of noisy labor battles in Oakland along the waterfront, things like that. Did they register at all on your childhood?

PETRIS: Well, I remember the general strike in San Francisco, that spilled over, and had ramifications in Oakland. [ ] Harry Bridges. That's the middle thirties. That was a tough one in the long run, and a bitter one. It went on and on. And it affected the Oakland port, too.

MORRIS: I would imagine. Did your father's feeling about labor carry over to your own experience in terms of organized labor as a reliable or . . .

PETRIS: Well, I was always very close to organized labor, because my father was a laboring guy. I always kept his admonition in mind, and many times when I'd see how they voted, I'd remember how wise my father was. Well, they voted. . . . When President Reagan

ran for president the first time, fully one-half the labor vote went for Reagan, in spite of his record in California, which was clearly anti-labor.

MORRIS: Going back to the local politics in Berkeley and Oakland, is part of your job as the state senator to mediate some of the debates on tussles between the factions?

PETRIS: Well, I get into some of those, and some I don't. For a while, I tried to stay above it, but I got dragged into it. In Berkeley, I tend to support the more moderate group consistently, the Berkeley Democratic Club, as opposed to what you might call the [Assemblyman Thomas H.] Bates-[Representative Ronald V.] Dellums faction. Bates and I are very close friends and we work very closely together in Sacramento; I really admire him, but it seems on the local fights at the city council and rent board and all that, we're always on opposite sides. I weakened a few years ago and endorsed one of their guys, just to try to be that mediator and bring it together. But he never turned around and endorsed any of the other guys on the other side--our side, I might say.

I did that once or twice, and then I gave up. There were other times when we happened to endorse the same people.

MORRIS: At the special district level?

PETRIS: Yes, at some local level. I think school board. I don't know, to tell you the truth. I endorsed the majority, those that now hold the majority at the school board and the rent board. The rent board was determined by seven or eight votes.

MORRIS: Yes, that was a fairly important turnaround this year.

PETRIS: I've talked to Tom about the rent board over and over, trying to stir his soul in the direction of looking at some of the real bad injustices that have taken place under the harsh, I think unfair, interpretation of the ordinance. And some unfair provisions in the ordinance. I've been accused of selling out to the landlords. I own an interest in an apartment house in Berkeley, 10 percent. I've been accused of siding with the landlords ever since I acquired that interest. Well, I've had that interest for years. It was reported in my annual Proposition 9 reporting that we have to file with the state,<sup>1</sup> and published by the papers. But nobody paid attention to it until I got into those rent fights, and then I was accused of selling out.

I remember confronting some rather hostile critics from time to time in Berkeley, and they'd say, "Aw, you just," blah, blah,

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<sup>1</sup>June 1974.

"you carried a bill to do this and that." And I'd say, "Let me tell you something. You will not find more code sections helping tenants under any other name than mine. Just to give you a few examples: the law prohibiting retaliatory eviction by a landlord was my bill. That means that, if you go to city hall as a tenant to complain that the landlord has not maintained the building according to health and safety standards, he can't evict you for that. He can't cut off your electricity and water, even if you're not paying the rent. As long as you're there, you've got to have your electricity and your water, and he's got to evict you. And he can't do that."

And I gave some other examples. "Now, do you think I was doing that because I was in love with the tenants and I'm pro-tenant? That's not the point at all. The point is, you're looking at a system that is being abused by the owners, and they're being terribly unfair and unjust. It's a matter of simple justice. So I went in with some bills to correct the balance.

"All right, now the abuses I see are committed by tenants. I see tenants blackmailing owners, I see tenants holding out for the highest bidder, I see tenants bringing in sub-tenants without even telling the landlord who they are. The guy doesn't know who

PETRIS: lives in his own place. He doesn't know whom to evict if the place is damaged." And I just list a whole list of grievances. I said, "That, to me, is just as abusive and, in many cases, more, than the stuff the landlords pulled against the tenants. So I go in and I say hey, you've got to put a stop to this. Now all of a sudden, I'm pro-landlord. My position hasn't changed at all. I'm for a system of justice in this context."

I remember. . . . What's the most radical group? I get the initials mixed up. BAC? Berkeley Action Committee?

MORRIS: Tenants Action Committee?

PETRIS: Well, the tenants, but then there's another one.

MORRIS: There's the Berkeley Tenants Union.

PETRIS: Yes. I don't remember now which one it was, but I went to talk to them years ago. We had a kind of a show-down. They were really roughing me up. Finally, I said, "I don't know where you get off making those kind of complaints. You come and you've got all these ideas you're throwing at me. Where were you when I had them in the form of legislation? I never heard from you."

"Well, we didn't know." "Well, you know now. What do you mean, you didn't know? What kind of a defense is that? You're the smart-asses that are raising all this fuss, and when I



bring up something, you don't know."

MORRIS: "You didn't do your homework."

PETRIS: Yes. For example, I had a bill that would have created collective bargaining for tenants. I modeled it after New Jersey, which has a higher ratio of tenants to owners than we have in California by a lot. Very few people are homeowners back there in those centers of population; they're all tenants. I figured that, before we reach that level of saturation of tenants, we ought to have some rules of the road, and we ought to establish them now where we can discuss them in a relatively calm and reasonable manner, and not after the big shift. "Now, how come you guys didn't come up there and support it? I was standing by myself!"

"Well, we didn't know." Well. I carried that bill two or three years in a row; finally gave up.

MORRIS: In the Judiciary Committee?

PETRIS: Yes. Didn't get to first base.

MORRIS: The other fellows on the committee were not interested if it wasn't an immediate issue?

PETRIS: No, it wasn't that. It was just giving too much power to the tenants. Who ever heard of collective bargaining for tenants? Some of those guys don't want it for the employees on the job, let

alone for tenants. I said, "Well, look at it as establishing the rules of the road, so that you're ready when the disputes arise in the future. You can include arbitration, you can include this, include that, but you've got to have a mechanism so people can have a dispute . . . "

Now, we have this Tom Bates legislation, we have these problem-solving or dispute-solving local neighborhood . . .

MORRIS: Yes, neighborhood council kinds of things.

PETRIS: Yes, dispute-resolution, I forget what they're called, but they're marvelous ideas. It's kind of along that line.

MORRIS: How much time has the Judiciary Committee spent on the matter of crowded court calendars and how long it takes to get a case that you're personally interested in to be heard by a judge?

PETRIS: Kind of episodic. When the heat is really on, the newspapers drum up the things and write a series exposing the terrible conditions; then people get excited and they put in a bill. But it's never been an ongoing study. There have been several bills that I've had myself. In fact, I got myself appointed a one-man subcommittee to make a study, which I did. I had meetings up and down the state, and meetings in L.A., Sacramento, San Francisco, brought in judges, court reporters, bailiffs, lawyers, to

see if they could make some recommendations on speeding the thing up. Two or three bills came out of it, but they didn't make much of a dent. I think [Assemblyman] Elihu Harris' bill was doing more on that, A.B. 33? 93?

MORRIS: Currently in the legislature now?

PETRIS: No, it's been adopted. A couple of years ago. That seems to be helping. It's actually an experimental thing in certain counties. Alameda County's one of them. Judge [Henry] Ramsey is really pushing to get these cases to trial.

Now, one of the suggestions I had, I don't know if it ever reached legislation. I wanted to see us try the federal system. I've tried cases in both the federal and the state courts. In the federal court, when you file your lawsuit, in addition to being given a number (each lawsuit has a number) they give you the name of the judge.

MORRIS: At the beginning?

PETRIS: The very beginning. That judge is in charge of that case from day one until the end of the trial. That means that all the preliminary motions that you go through are heard by him. The theory in the state court is you want anyone but the trial judge to hear these things, so that when the trial judge comes in, he's never heard of

the case. He reads the file that morning. It's assigned to him, he reads it, then he comes to court. The theory being that he is not influenced or biased in any way by parties, attorneys, or anybody else; he's new.

The federal theory is, the only way you're going to really monitor the case and have somebody pushing these lawyers to do what needs to be done is to adopt a rigid set of rules, but then you also have to have one judge on top of the case. In the state system, you might draw half a dozen judges on different kinds of motions, filing a motion for extension of time, and giving a song and dance about why it's so important. But if he's heard the story before, he's going to jump all over you.

Under the federal system, they move much more quickly. They tend to be much tougher, and the judges are much more in control of the flow. Now, that's what they're trying to do through this, but it's still not the same. Ramsey is the one appointed by the other judges to handle this, and he's doing a tremendous job. But I don't think it's as effective as having a determined set of judges operating under the same style as the federal.

Then, if you're not ready for trial by a certain date, you've got to come in and explain to the judge why. He's the same judge

PETRIS: that you may have appeared before four or five times on preliminary matters in that same trial, including the pre-trial settlement conference, the trial-setting conference, where you file certain documents and you certify that you're ready to go to trial, all discovery has been completed and so on and so forth, all the interrogatories are behind you, depositions, et cetera et cetera.

So by the time you get to trial, the judge not only knows the case and the issues, he knows the players. He knows how they operate, and he's not going to be fooled. I think it works much better.

MORRIS: It would sound like it would avoid a certain amount of repetition, too.

PETRIS: That's right.

MORRIS: Is this something that Harris and Ramsey had worked on together, getting this idea . . .

PETRIS: I think so.

MORRIS: . . . enacted, and then Ramsey just carried it out and see how it works?

PETRIS: Yes. Ramsey's very devoted, very dedicated. I've been in his court as a lawyer, I guess three or four times this past year, waiting my turn on a case. There's a calendar where they file a request for

exception as to why you shouldn't do this or that at a certain time. I remember I had one in which my partner was defending somebody in a criminal action that he thought was totally unfounded and was a basis for a good civil action against the complaint party, who was an employer in this case, abusing the process of the court. So he filed a lawsuit for abuse of process.

Now, it got caught up in the fast-moving stream and he got a letter from the court saying, "Hey, you haven't done this and that." He filed for an exception because he couldn't move until the criminal case was determined. If the criminal case was dismissed, it strengthened the civil case. But he couldn't tell until it was over. So I went in and presented the exception, and argued why, and the judge said OK. "That's a good reason." But it's that type. You can't just languish and wait for things to happen if you're compelled to move.

MORRIS: As a lay person, one reads a fair amount about backlogs in the courts. But you're saying the legislature doesn't particularly feel a great anxiety to . . .

PETRIS: Well, we've enacted a bunch of statutes, and we've encouraged the local courts to go into these experiments, you might call them. I believe the Harris thing is based on the experience in San Diego,

where San Diego County, based on prior legislation, took advantage of the opportunity to do certain things that they weren't able to do before. I'm not saying that we haven't paid attention to it, but there hasn't been a big flock of bills or a continuing study of the problem, but we're certainly aware of it. Every session, we're reminded of the backlog. The Harris thing really results from an accumulated impact of all those complaints.

MORRIS: How important in this continuing discussion is the idea of alternate ways of dispute resolution?

PETRIS: Oh, very important. That's one of the reasons Bates, I think, was able to make headway on his legislation. You have a mechanism that will help relieve the strain on the courts, people are going to pay attention. Because we've all been alerted to it, we're all aware of, conscious of the problem of the congestion of courts.

And then we've also had other measures. I gave the wrong impression. It isn't that we haven't had anything. We have compulsory settlement conferences. You can't just say, "I'm not interested in settling." You've got to sit down before a judge, where the judge makes an earnest effort to settle that case before it goes to trial. We have an arbitration procedure where you can file with the court a request that this case go to arbitration.

There's another statute that cases under \$25,000 in a municipal court go through a certain faster process, I forget the. . . . So there are quite a few things on the books now, all aimed at cutting that.

MORRIS: It sounds like it's sort of a constant housekeeping and self-improvement society.

PETRIS: Right, exactly.

MORRIS: How helpful is the bar association in . . .

PETRIS: Well, they're always into those. They're either suggesting these things or they're coming in to support them, or oppose them if they don't think they'll work.

[End Tape 5, Side B]

[Begin Tape 6, Side A]

PETRIS: I'm reminded of the hundred-year bill I introduced in 1966. It was modeled after the Save-the-Bay legislation. It seemed to me that if Save-the-Bay was getting people to think ahead and study the consequences of their actions in the Bay Area, we should try the same approach on a larger scale.

We invited different kinds of planners and experts to tell us what they saw happening in their fields a hundred years from now. So they did this at a series of statewide meetings where we



pulled in as many people as we could who had any knowledge to examine those ideas and express their concerns. They said we should take inventory of all our resources--air, water, land, forest, minerals, everything. I asked them how long these resources were going to last, who should make the decision of how long they were going to last and how they're allocated; does the public have any interest in participating in the decision process. How do we address the matter of continuing to be concerned about the environment, cleaning the air, the water, making plans for the future.

That particular plan called for the creation of new cities of an optimum size. We don't know what the optimum size is going to be; we figured maybe 100,000. We talked about trying to drain the L.A. basin to some extent. We have reports from scientists indicating that by the year such-and-such . . .

MORRIS: . . . going to drain the L.A. basin of people?

PETRIS: Of people. And offer inducements for people to live in other parts of the state. We envisioned a whole change in the transportation system. The ambulance of the future would be the helicopter, and it would go not to the local county hospital, it might go fifty miles away to some other trauma center. Things of that sort. Move

freight by air. These damn big trucks are destroying our freeways anyway. Reduce the liability on that. Maybe increase the use of trains again, get more freight trains. Just a whole bunch of things. A lot of questions that weren't answered.

MORRIS: Oh, I should say.

PETRIS: I didn't even get a hearing on it. [State Senator Hugh] Burns was the pro tem at the time and . . .

MORRIS: It was not his kind of issue?

PETRIS: No. He thought. . . . Well, it was a little far out. One of the things that was in the bill was elimination of the Department of Finance.

MORRIS: [Laughter]

PETRIS: To be replaced by a committee of twenty-four, with heavy emphasis on environmental interests, so that no major decision over X dollars would be made without running it through this committee to measure it in terms of what's the impact 100 years from now of this thing you want to do.

MORRIS: Or even twenty years from now.

PETRIS: Build a canal, build a freeway; how's that going to impact on this and that and the other thing? Got to look forward. People asked me, "Why did you pick 100 years?" I said, "Well, I just thought it

would force us to look back 100 years." Our plan was to get as many pictures as we could of conditions in the state 100 years from now, and show pictures of hydraulic mining, for example, that brought down entire mountains. We have pictures showing that. And ask ourselves, if we had a 100-year plan then, how much better off would we be today? Maybe we wouldn't be better off at all; my hunch is we'd be a lot better off.

But planning was a dirty word. I went to the Commonwealth Club. They assigned it to their environmental committee, or some committee having to do with that subject. I got a very cold reception there. The only people to support it were some environmental groups. There's a publication called Cry California published by [Arthur] Heller, of the Heller family in San Francisco.<sup>1</sup>

MORRIS: Lewis Butler's the person to talk to these days; he seems to have carried that on.

PETRIS: Now, what's the organization? Is it Sierra Club?

MORRIS: No. Lewis Butler is California Tomorrow.

PETRIS: That's it, California Tomorrow. They picked up on it without any

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<sup>1</sup>Cry California is the newsletter for the California Tomorrow organization, of which Butler was president in 1989.

word from me, and they wrote editorials in Cry California, strongly supported it. This fellow named Heller was active in that group at the time, and he came to see me, I went to see him.

MORRIS: Yes, he was one of the prime movers.

PETRIS: Yes. He was very enthusiastic about it. But after I didn't even get a hearing, we all got kind of discouraged. I should have followed up on it, I should have stayed with it. But I didn't.

MORRIS: Did you keep . . .

PETRIS: I'm meeting with [University of California] President [David] Gardner on Monday. He's coming in for his annual. . . . We're opening our budget hearings on Monday, on the education budget. I'm chair of that subcommittee. Everything from kindergarten through university.

MORRIS: You start with the education . . .

PETRIS: We start with the UC system, so Gardner's always the lead witness. Then he's going to stay for a lunch meeting, and I'm going to drop this 100-year plan on him and ask him to get somebody at the university to put me in touch with the experts in all the various fields.

MORRIS: I strongly recommend Lewis Butler.

PETRIS: Good, I'll jot that down.

[Interruption]

MORRIS: I've been told that you keep a lot of your own thinking and data you've collected in notebooks.

PETRIS: Oh, you have?

MORRIS: I have. Is that a true thing?

PETRIS: Yes. It's not that systematic; it's just kind of haphazard, but over the years, it builds up. I have about twenty-one volumes of a small three-ring binder. They vary all the way from some little poem that I've read, to a verbatim copy of a speech that's printed somewhere in a newspaper, to a speech of my own, to articles of interest that I've read over a period of time. I have a box or two full of clippings that I intend to copy sometime into the notebook. When I go back to it, and refer to it from time to time, I find it very helpful. Maybe I could show you one one of these days.

MORRIS: I'd like to see one. If they're dated, I wonder if the ones for 1965-66-67 would have some of the data that you were putting into your thinking about this 100-year plan.

PETRIS: Oh, I doubt it. See, that wasn't the scope of it at the time. I'm sorry to tell you that none of my legislative stuff has gone into that. It's just general problems of concern in the whole society. 1965, I'll have to find the volume. Maybe I can take a peek right

now. Let me go see.

[Interruption]

I don't have any real data from legislative things. When you see one of these, you'll get the picture.

MORRIS: Is it like what Thomas Jefferson used to call a commonplace book, in which he put ideas that appealed to him?

PETRIS: Yes. Except it doesn't have as many of my own ideas as he does. I think he added his own. That's the general idea. I started a long time ago, but I haven't kept it up as much as I like. I do my own typing. That's one way I remember the things better. I go back fairly often, so I make notes in the margins, and the date that I rewrote something to assure myself that it's somewhat useful.

PETRIS: I'll make a note to try to find one for you.

[End Tape 6, Side A]

[Session 4, April 6, 1989]

[Begin Tape 7, Side A]

MORRIS: You must be going to run for office, if you're getting a new picture taken. Are you thinking of it?

PETRIS: Looks like, doesn't it? [Laughter] No, I don't have any such plans, but a lot of people write and ask for a picture.

MORRIS: Of course.

PETRIS: Especially if you have a speaking engagement, and they want to put you in the bulletin and all that. I haven't sent out a picture for a long time. The one we have is so bad that I always tell the secretaries, "Don't send anything." Once in a while they'll sneak one out. I finally said, "Well. . . ." I had told so many people that I don't have a picture, they didn't believe it. They said, "Every politician has dozens of different kinds of pictures," so I finally decided I'd go out and get a picture.

MORRIS: Good. What I wanted to ask you about today is your work on the Joint Legislative Budget Committee, and I wondered if that was a job you sought or you were asked to take it on . . .

PETRIS: No, you're kind of automatically on it if you're on the budget committee [Senate Budget and Fiscal Review Committee]. Almost. No, I haven't sought it, I don't like to be on it; I can't tell you very much about it. This year, the last year, I haven't been to any of the meetings.

MORRIS: Really. Well, I've heard it described as a housekeeping committee.

PETRIS: Yes, it's a very important one, but most of that important work, the decisions are actually made by the chairman. That has to do with activities when we are not in session, and interacting with the Department of Finance on some rule, I forget what it is, in which a department needs authorization from the legislature to do certain things, make a change in the amount of money that's going to be spent for this or that, authorize expenditures for something that hasn't already been approved, they run it past the joint budget committee in order to get approval. Most of those things are done by the chair. Once in a while, if it's a controversial one or if it exceeds a certain amount, then he will circulate a letter to all the members asking them to vote yes or no.

Meetings are rare, few and far between. It's an important committee; it's the one that has direct jurisdiction over the legislative analyst, and traditionally it's been headed by the senate.



There's another very important committee that's headed by the assembly; I guess the [Joint] Legislative Audit Committee is always headed by the assembly. From the time I first got here, I remember it was always. . . . It always had a chairman from the assembly side, and the budget committee was always run by the senate side.

MORRIS: Any reason for that?

PETRIS: I don't know. They're both important, so it's a division, equal distribution of power, you might say. But they still have to have a certain number from each house, and on important things they take a vote. They have to have a quorum from each house, not a quorum of the total, but a quorum of each individual delegation. That's true of all joint committees.

MORRIS: In other words, if they're going to meet, they need at least one senator and one assemblyman, if they're going to . . .

PETRIS: Well, no, it's a lot more than that. There are quite a few members on it. They need a majority of each contingent. In other words, if there's seven from each house, they've got to have at least four from each house in order to do business. They can't settle for five senators and two assemblyman. That's not a quorum.

MORRIS: That's an interesting regulation.

PETRIS: Yes. That's true of all the committees that are joint. And it makes sense; that way, one house doesn't make policy for the two of them in a joint endeavor.

MORRIS: Are those joint committees sometimes where some of tussles between the houses get . . .

PETRIS: Once in a while. Mostly in Joint Rules. In Joint Rules, we've had running battles for the last eight years, usually in one subject area, and that's during the restoration of the capitol. That chair, of course, was on the assembly side. Since the whole restoration project was a joint effort of the two houses, it fell under the jurisdiction of the Joint Rules Committee. The senate always felt that the assembly was so inconsiderate of senate input, feelings, etc. . . .

[Interruption]

MORRIS: [Assemblyman Louis J.] Lou Papan was chairman of the Rules Committee?

PETRIS: Yes, in the most recent time, but before him there was. . . . Oh, I've forgotten his name. When it started, it was another fellow who left the legislature to go into the ministry. He's a bishop now, a black fellow from L.A. [Assemblyman Leon D. Ralph] But during most of the controversy it was Papan.

The assembly side had this arrogance, and [Senator James R.] Jim Mills, who is chairman of our side as president of the senate, pro tem, used to clash repeatedly with Papan in those meetings, because they had a proprietary attitude that they're running the show, and they're going to do it their way, and they don't give a darn what we say or think. It got so bad that we had to appoint a special liaison person to keep the lines of communication open between us and them, and go to all their meetings and things . . .

MORRIS: A staff person?

PETRIS: A staff person, yes. And eventually, we hired an architect who had originally been hired by the contractor because he was acknowledged as one of the leading experts on restoration in California. So he was originally hired by the actual contractor whom we had hired to do the job, and as we went along, and got into more and more controversy, we had him officially working for us, advising us on this stuff. And there are a lot of horror stories connected with it, and we went through a lot of battles.

I did too, after Mills left. I didn't take his place as chairman, but I was chairman of the subcommittee on restoration. I still am. The committee never meets, but we will one of these days. Our

responsibility is to monitor the continuing fidelity to the original statute, which is to preserve the building when it was a certain period, and to maintain the museum. See, we officially created a museum on the first floor of the old building, and we have a curator. We've done a very, very, I think, remarkable job of getting the appropriate period pieces--furniture, and office furniture especially--and we also have some very fine, marvelous, and valuable paintings scattered throughout the building in some of the committee rooms, and in the speaker's office, and in the president pro tem's office, which began with a loan program.

We got some of the distinguished California families that had these paintings like [those of] Thomas Hill, who is number one on doing California landscape in the 19th century. They're extremely valuable. And we've had some donated. So we created a private, nonprofit corporation, "we" meaning the senate side, to provide a vehicle for Californians everywhere to make financial contributions that would create a fund to be used for paying for acquisitions, and things of that sort.

Now, they were so upset about that, they wanted to bring that corporation totally under the domination and control of the assembly chairman of the committee, and we said, "Over our dead

PETRIS: bodies." We just drew the line there. They're a nervous bunch over there; they're power hungry, I'll tell you; just all kinds of problems dealing with them. Now, we modeled that after the similar commission in Washington D.C. You know, they have various . . .

MORRIS: The White House, to . . .

PETRIS: The White House, the State Department. Those two in particular. They've raised millions and millions of dollars in cash and in contributions, and they've found that a lot of the contributors didn't want to deal with the politicians. They wanted to go through some blue-ribbon group of their peers, who loved art and had the money to acquire it and appreciate it, and donate it. We wanted to establish a similar pattern.

MORRIS: Who did you find to be the board of directors or trustees of the . . .

PETRIS: Well, former Congressman John Moss, who lives here in town and is now a banker. I think he's chairman of the board. We didn't pick the members; Moss got some people together, and they did it. I couldn't even tell you who the rest of the board members are, but he's the leading guy.

MORRIS: So the senate set it up as an independent organization?

PETRIS: Well, the senate didn't do it officially. I just went to some people and said, "It would be nice if you did this, and let us follow the Washington pattern," and of course, as an ex-congressman, he was familiar with what they were doing back there at the capital. That's how we got into that.

We went through some rough periods. They wanted to do shortcuts; they wanted to call it a reconstruction rather than restoration. In the world of art, that's the difference between night and day. They wanted to take shortcuts; we had a lot of battles on the artistic merit and quality of the things that were being done, and I think our side, because we held on stubbornly, chiefly due to Jim Mills, our president pro tem at the time . . .

MORRIS: And a former practicing historian.

PETRIS: Right! Exactly. With a great sense of history himself, he just hung in there and fought them every inch of the way. I was right there behind him as subcommittee chair. We maintained the integrity of what we were trying to do in a much, much more accurate and authentic way than it would have been without our pressure.

MORRIS: Am I right that some of the restoration techniques were first tried here in the California capitol, that few public buildings had . . .

PETRIS: Yes, it's been called the leading restoration of its kind anywhere in the country. There was a full flow of people coming in here to see how we did ours, and our staff guy was in great demand to speak at other states. I know he went to New York and spoke there to a group doing it in the New York Senate. They took a lot of ideas from us.

As far as the technique, we even brought some people from Italy to show us the lost art of some of the parts. It's a fascinating story, that whole thing.

MORRIS: I remember hearing some concerns about how much it cost and how the cost escalated over the years.

PETRIS: Oh, yes, it escalated tremendously. The original estimate was somewhere between \$42 to \$46 million. But we ran into a lot of surprises, and that boosted the cost up to about \$63, \$64, \$65 [million], somewhere in there. But it still came about to about \$2 to \$3 per person in California. And I've got to tell you, of all the government activities I've seen, this is the only one in which the universal acclaim and reaction of the public has been, "Now, that's money well spent."

MORRIS: You can see the results.

PETRIS: Yes, the dome especially. It's just marvelous.

MORRIS: Was it planned from the beginning to go out and find exactly the same kind of furniture and fabric designs, and things like that?

PETRIS: Well, I don't know how much detailed discussion was concentrated on that in the early days. I don't think so. They were concentrating on the building. And of course, the reason for the whole thing was the seismic danger. The engineers checked it out, and the building was deteriorating and in great danger of collapsing. We closed it up for a while. We didn't let schoolchildren in. We let adults in at their own peril, but schoolchildren's tours were eliminated.

So what began as a seismic thing, followed by debate as to whether we should just tear the thing down and build modern stuff . . .

MORRIS: Was that seriously considered?

PETRIS: Yes, the old-timers wanted that! The young members said, "Absolutely not! We're going to hang on to the old one."  
[Senator Randolph] Randy Collier, who was a big, big wheel here in the senate, served for more than thirty years, came up with this plan of what they call "Collier's Twin Towers." He wanted to go across the street from the park and build these two huge towers, put the assembly in one and the senate in the other, and have the



chambers of each in between. We just thought that was horrible.

MORRIS: He was going to tear down the Senator Hotel and put up his twin towers?

PETRIS: No, no, in the other direction. The other end of the park.  
Because we own that land over there.

MORRIS: At the east end.

PETRIS: Yes, I think that's what it's called. The far end of the park, right across the street. Just tear this one down; I don't know what he was going to do here, just make a park out of it, I suppose. I don't know. But boy, we really rebelled against that, and we beat it. So we have the ironic development there that the young people wanted the old building, and the old-timers wanted something new and modern and flashy, and didn't want to hang on to this.

MORRIS: That's a very interesting contradiction.

PETRIS: It is, yes.

MORRIS: If I'm not mistaken, Mr. Collier built a very modern kind of a glass, brick, and cement house up in Yreka.

PETRIS: He may have.

MORRIS: It's now a country inn kind of a place, but it's an unusual building for a small mountain town like Yreka. It sounds like he may have

been a fan of modern architecture.

PETRIS: I think so, he probably was. He certainly was in the design of his proposal.

MORRIS: Did you have to have some personal conversations with him to change his mind?

PETRIS: No, I don't remember my personally sitting down with him to talk to him about it, but I talked to a lot of others against it, I know that.

MORRIS: Did it go to a vote of the whole legislature?

PETRIS: Yes, it went to a vote, and we beat him. Because the issue was, do we restore, or do we tear down? They claimed it would be cheaper to tear it down and build a new one.

[Interruption]

MORRIS: If you didn't want to be chairman of the Joint Legislative Budget Committee, did you ever . . .

PETRIS: I didn't even want to be on it.

MORRIS: You didn't even want to be on it. But you didn't think about running, or campaigning. . . . You didn't want to be chairman either.

PETRIS: No.

MORRIS: Did you ever think about trying for senate pro tem, or did

anybody ever ask you . . .

PETRIS: Oh, yes, but I always shied away. Yes, there were several times when we had the eruption against the old guard, and I was one of the original two or three who got together to make a substantial change. Hugh Burns was the pro tem at the time, wonderful man, and very helpful on an individual one-to-one basis, to every one of the senators, regardless of party. But in running the shop, we thought that he was much too conservative in his philosophy, which put him in bed with the most conservative private forces outside that had powerful lobbyists up here--oil companies, for example, and others. Simply because on the natural, because of his own philosophy, he agreed on most issues with their position.

MORRIS: As a businessman himself?

PETRIS: Yes. As a guy who'd been around a long time, and he represented a farm area, a conservative area, Fresno. So everything added up to a very conservative style, which collided head-on with the great post-war. . . . Well, I didn't come in post-war, I was considerably after that. I came in in '59. But there was a lot of restlessness at the time, and we just thought that Pat Brown's program should be supported 100 percent, rebuilding California. It meant a willingness to go out and talk to the public about rebuilding

California, new university campuses, new Cal State [California State college system] campuses, new community colleges, junior colleges as we called them at the time; we needed new medical schools, new law schools, the water plan; and it meant raising taxes. We went out and fought for that in order to do these things, to build California, which had been slowed down by the war, and had this enormous growth: a thousand people a day coming into the state. Pat Brown went out and talked about it, and we were all excited.

Well, the conservatives didn't want all this stuff. Hell, they just wanted to keep things the way they were, as they always do. Now we have two thousand a day coming in. We have a caretaker government, total opposite of Pat Brown. Caretaker governor [Deukmejian], who doesn't know how to respond to this growth that's twice as big as it was when Pat Brown was here. Not only is he not going out fighting for these things, urging people to support it, and being willing to talk about raising taxes, he just came out of this transportation conference two days ago with leaders in business and the legislature on a twenty billion dollar program for transportation alone, over a five-year period, but he refused to endorse it. He said, "We're going to submit it to

PETRIS: the voters and let them decide."

"Well, Governor, are you in favor?" says the press. "It doesn't matter and it's not important to the people whether the governor takes a position on this or not."

MORRIS: Really. Is that in line with the idea, "If the people vote for it, I haven't supported new taxes?"

PETRIS: Yes, "It's the people's, not mine." He doesn't want to go on record as having supported any new taxes, which is strange for a guy who will remain on the books forever as the senator who carried the biggest tax increase in the history of the state, at least up to that year. There hasn't been anything bigger since; probably never will be. So I don't know, is he trying to overcome that, wipe it out? It didn't hurt his career; he wound up being governor. And the guy who signed it wound up being president. But anyway, he has this phobia, this fear.

Anyhow, on the pro tem thing, yes, I was approached several times during those changes, and I always declined. I just didn't want to go for that idea. I just didn't feel I had the time to devote, and still do policy things, and still do my private things, including my law practice, which was much more active in those days. Right now it's nothing. Even Roberti, the newest pro tem

now for several years, when he ran--decided to run--he had been making moves for the prior three or four years. As Jim Mills' closest lieutenant, I'd always discouraged him and told him to wait. Jim was going to be around a certain number of years, and "he's going to retire, you ought to wait and do it then." But he didn't want to wait that long.

So when he finally got his troops together and decided to go, he came to me. He said, "I've done this and this and that, and I've shown a lot of forbearance. I really think things need to be improved. The first thing I want to do is ask you to go for pro tem. If you decide to go, I will support you and urge all of my people to support you. You really ought to do it." I said, "No, I can't. I can't run against Mills."

MORRIS: Because by then, you and Mills were pretty close?

PETRIS: Well, we were very close. As long as he wanted to stay, I would not do it. If Mills had said, "Go for it," I wouldn't have done it anyway. [Laughter]

MORRIS: Did you talk to Mills about Roberti's . . .

PETRIS: Yes, I did, some time before the election. Mills was out of the state when this move was started. It's usually done in the off-season, in preparation for the new session in January.

MORRIS: In late November and December?

PETRIS: Yes. Now, the new session starts in December, so you have to do your moves in November. I remember on a prior move, it was November. [Senator] George Zenovich had tried two or three times. He also came from Fresno, he had succeeded Burns in his . . . . He had a big, big dream, and that was to be the pro tem. I had served with him in the assembly, and we were very close friends. He was more conservative than Burns, and I couldn't support him.

And there was one year, his last run at it, he had been defeated two or three times in his move against Mills. I always led the defense of Mills. That year, in November, I was trying a case in Fresno. Took seven weeks. We were out of session, and the battle was on. There were some people over in Russia. . . . Oh, yes, George went to Russia during that time, on a short trip. He was calling everybody, trying to line up support, and Mills was calling me every day, urging me to. . . . You know. So I called the troops, and there were calls coming in to my hotel at night. Here I am down in Fresno, trying this case, and it's a seven-week case. It's not a little hearing.

So I would run out during ten-minute breaks during the trial,

run down to the pay phone, and put in a call or two, and then run back, and often I was late. It was always embarrassing. The judge was very pleasant. Finally, we had our opening day in December, and I got excused; I asked the court if we could skip that day for trial. He did it a couple of times for me, when we had something up here. The next day, the Fresno Bee had a big headline, front page story, "Zenovich fails miserably in bid for pro tem." And it showed he only got about seven or eight votes, which isn't enough. And it was kind of humiliating.

So I walk into court that day, and the judge, on the record in that trial he always referred to me as Senator--it made me cringe--instead of Mister. You know, I'm a lawyer there, I'm not a senator. I didn't know this judge, but that's just the way his style was. He said, "Senator, is that why you've been making all these phone calls? What have you done to our senator?!" Because my name was prominently mentioned as the . . .

MORRIS: In the Bee story.

PETRIS: Yes. [Laughter] I said, "Yes, Your Honor. I don't think there will be any more prolonged breaks for the telephone." [Laughter]

MORRIS: Oh, dear.

PETRIS: But I've never aspired to be in that kind of leadership position, in



either house that I served in. I just wanted to concentrate on the issues, and later, I didn't even want to be chair. After I got on Rules, where I've been a long, long time now, the rules are that you are not allowed to be a chairman of a committee if you're on the Rules Committee. It's considered to keep you busy enough that you can't do both. So I haven't had to worry about this chairmanship or that.

I had a little talk with Mills when he got back. He was pretty shaken up by Roberti's attack, Roberti's challenge. I had come to the point where I finally broke with Mills. I told him, I said, "Well, what you need to do is make your calls. Roberti claims he has the votes. I don't know if he has or not."

Zenovich's big problem was he didn't know how to count; that's a common phrase up here.

MORRIS: Right. I don't understand what that means.

PETRIS: It means that, even though members say, "Yeah, I'll support you," you have to know whether they really mean it or don't mean it. You don't put everybody down in the yes column just because they tell you, "Yeah, I'll be with you." You need a lot more assurance than that.

MORRIS: How can you tell when somebody's saying, "Yes, I will vote for

you . . . "

PETRIS: You just know the individual, and you know how his body movements are, his body language, and everything else. And then you talk to others as well.

So, there's always that possibility. The guy claims, "I have the troops." Zenovich told the press, "Hey, I've got it. I've got the support." And to this day, when I talk to him about it, he says, "I had the votes; those guys didn't keep their word." Well, he didn't have the votes, you see?

MORRIS: And Jim Mills' ear for the people saying yes was not what it had been?

PETRIS: No, his ear was always good. What I told him was, "I think you ought to make your calls and see what the lay of the land is. But I'm not going to do the work this time." I told him that, "I'm not going to be the gladiator. I'm going to sit on the sidelines, and I'll go with the majority. If the majority says, 'Yes, we want to keep Mills,' OK. If they say no, I'm not going to go out there and fight."

Now, I never leveled with him, and I didn't feel right about it. Well, he did find out later, and then denied everything. I had had a very bitter disappointment in a fight that happened, I guess,

the previous year [1979] when some people in the assembly made an assault on the job of Martin Huff.<sup>1</sup>

Martin Huff was the executive officer of the Franchise Tax Board, the cleanest, most honest, courageous public servant I've ever seen. As a matter of fact, we have a bill pending now in the senate that would have eliminated that job.

MORRIS: Is that Elihu Harris' bill?

PETRIS: No, it's Kopp's bill, to consolidate all the revenue-collecting agencies into one, instead of having them fractured. Martin Huff advocated that for years, even though he knew it would eliminate his job. He came to committee and testified publicly. You don't find very many people doing that. He just thought it would be much better government to do it that way.

Now, along with his other reform proposals from time to time was a friendly warning to the legislature that we have to do something about our taxability, not of our salary, but of our per diem. He felt that with the trends that he was reading in Congress, they were less and less happy about letting states have tax-free per diem. Per diem is, like any business has, if I live in

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<sup>1</sup>See Oral History Interview with Martin Huff (Sacramento: California State Archives), 1989.

Oakland and my company sends me to Sacramento for an extended time to work in Sacramento, they're going to pay for my room and board. They're going to pay me expenses for the hotel and my meals. Well, that's what per diem is supposed to be for us, and when it first started, it was ten or twelve dollars a day. Now it's ninety-something. And it's pegged to a federal cost-of-living index for this type of thing, by economic regions. It's one rate in Sacramento, it's different in L.A., it's different in Washington, D.C. So instead of us trying to figure it out each time, since they've been doing it a lot longer than we have, we just go along with theirs.

[End Tape 7, Side A]

[Begin Tape 7, Side B]

PETRIS: Now, the state rate is set by the state controller, and he takes into account the federal. . . . He does it for all state employees, including us. So we get the same thing other state employees get when they're compelled to travel and stay away overnight some other place.

MORRIS: Did some people think that Martin Huff's suggestion was politically motivated?

PETRIS: They thought that he wanted to tax per diem 100 percent, and to

abolish certain parts of it, because we get per diem through the whole weekend, even though we're not here. They reacted with a fury that I haven't seen for many years. There were several moves made to dump him. See, that position was created in the thirties following some prior tax upheaval, and the Franchise Tax Board was created. The office of executive officer to run it as the administrator was insulated from partisan politics and any other kind of politics, because they looked ahead and they figured that it would be a hotbed of intrigue and political pressures, and they had to insulate all the people working there, so that they could do an honest job, and not be interfered with in any way by these other considerations.

The way they gave him the insulation was that he could not be removed without a vote of the senate, which was either two-thirds or three-fourths.

MORRIS: Yes, I think it's two-thirds.

PETRIS: Two-thirds. Very unusual; it's the only office in the whole state administration that is protected that well. It had never been pierced before. That particular mechanism was a recommendation of the one who had had what you might call a comparable job at the time, but it wasn't the same, and when he retired he said,

"Hey, you ought to lift this out of the political arena and insulate it, if you want honest tax administration."

Well, I was able, as a member of the Rules Committee, to block several prior efforts to dump him. They would do it first with the committee, a vote in Rules, and then do it on the floor. At one point, I got so angry that Mills even entertained this motion that somebody brought, I said, "Let me tell you right here and now, if this motion passes, you get yourself another Rules Committee member. I quit." And I got up and left.

[Assemblyman William] Bill Campbell, the Republican leader who was on Rules at that time, came running after me. He said, "Jeez, don't do this to Jim. He needs you on that committee." "Well, he's not showing it. This guy's honest as the day is long, they'll never get a better administrator, and he's yielding to this baloney that we get from both houses because he hasn't the guts to stand up and say, 'Hey, you're wrong on this, and you ought to change it, for your own protection.'" They didn't want to hear any talk about that.

So as I say, I managed three or four times to block it, and this last time, I just walked out, and I didn't go back. Finally, Mills called, he said, "Hey, you shouldn't get so excited," so we

PETRIS:      kissed and made up.

Then a year or two later, they made another run at him [Huff], in a very sneaky way, in the assembly. They stuck this little provision in a conference committee report. It got to the senate floor, and I caught it at the last minute. I went to Mills and I said, "Jim, they're up to this again. They're going to bounce him. I want to stop it. We ought to send the bill back to the assembly. It's not relevant to the conference thing anyway."

He says, "Yes, they are trying to get rid of him." And that's all he said, as if he was delighted about it, and he was acquiescent. So at that moment, without telling him, I said [to myself], "OK, the next time he's challenged, he ain't getting any help from me." And the next challenge was Roberti. Now, I didn't actively go out and campaign for Roberti, but I did not help Mills.

MORRIS:      You sat on the sidelines.

PETRIS:      I sat on the sidelines, for the first time in six or seven years that he'd been under attack, and he went down the tubes.

MORRIS:      The articles that I've read on the Franchise Tax Board indicate that [Controller Kenneth] Ken Cory was . . .

PETRIS: He led the attack.<sup>1</sup>

MORRIS: . . . not terribly happy with Martin Huff.

PETRIS: Yes, that's right. That's because of that same quality that Huff has. Cory was chairman of the Franchise Tax Board. It's made up of a Finance Department head, appointed by the governor, the controller, elected independently--I forget who the third one is. There's three of them.

MORRIS: Member of the Board of Equalization, whoever's chairman of the Board of Equalization.

PETRIS: Yes. Huff had the integrity and the guts to stand up to Cory and tell him he was wrong, and he stuck to his guns. Cory worked that floor furiously when he [Huff] was dumped. He went around and told every member that we've got to get rid of this guy because he wants to take away our tax immunity on per diem. That wasn't true at all. He had a plan that would have survived a federal attack by showing that it's a more reasonable plan than just a flat immunity. I couldn't stop them. There were so many people opposed, just about midnight, eleven o'clock at night, the day before the session ended, the last day of the session, out he

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<sup>1</sup>See Oral History Interview with Kenneth Cory (Sacramento: California State Archives), 1989.



went. I never forgot that; I was very unhappy and disappointed. Couldn't put out that last fire.

MORRIS: Yes. I can believe it, when it's going to such lengths. Is it relevant to this continuing question of whether or not there should be one department of revenue?

PETRIS: No, that wasn't the issue at that time. The only issue when they dumped him was not changing around the structure of all these departments. The issue was, lay off of us, lay off of the legislators, and don't mess around with our per diem or any other perks that we have. That was selfish, it was greedy, and I told them on the floor. I said, "You guys in this house should be proud to have an administrator like that, who is honest and courageous and tells us to our face what's right. You don't like to hear what's right, and that's why you're dumping him. You're being greedy and short-sighted and selfish. Someday, you're going to wake up badly damaged by this, at some future time when the feds descend on us, and we're not going to have any leg to stand on in defending our position."

And there have been rumbles since then by congressmen from other states; they want to come down on California. They're jealous of us in many ways, when we get big contracts, when we

get money for universities, more than they do, and the way they can hit us is in our pocketbook. There have been motions in the Congress to change the whole thing around, figuring it will hurt us more than any other state.

Anyway, it was a sad thing.

MORRIS: That is a sad tale. It sounds like kind of an odd thing for somebody who's an elected constitutional officer himself to get involved in. If I'm right, it's the governor who appoints the executive officer of the Franchise Tax Board?

PETRIS: Yes.

MORRIS: So was there some pull and haul going on between the governor and . . .

PETRIS: No, the governor really wasn't in on it, except the governor [Edmund G. Brown, Jr.] was unhappy with Huff for a different reason, and that was the big ongoing controversy on California's tax . . .

MORRIS: The unitary tax business?

PETRIS: The unitary tax. And that was the main difference that Cory had with Huff. Cory was all for changing the unitary tax and getting rid of it. I have always been a floor leader on the senate floor upholding the unitary tax. Finally lost it with [Senator Alfred]

Alquist's bill.<sup>1</sup> I've lost a lot of fights on that floor, you know.

[Laughter] A lot of battles. But there again, the unitary tax was created to stop the abuse of the multistate corporations. We weren't talking much about. . . . They weren't; this is way before my time, again, it went back to the thirties--the multinational corporations were not even in the picture. But the multistate corporations were able to rig the cash register location in such a way that they would plunk the cash register down in a non-taxed state and avoid paying income taxes, and prevent the state in which they produced the most goods or sold the most goods from collecting a franchise tax, on the basis of, "Wait a minute, the money goes into Des Moines, Iowa, and that's where the taxing point is. That's where we put the cash register."

So, they enacted this unitary thing to block that, by basing the jurisdiction for tax purposes on the extent of the company's presence in California. It was made up of three or four ingredients: one was what kind of a labor force, what kind of sales you have in California, what percentage of your production is done in California--you know, very reasonable and logical. And

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<sup>1</sup>S.B. 85, 1986 Reg. Sess., Cal. Stat., ch. 660.

PETRIS: then taking that against their total all over the country, and taxing California's appropriate proportional share.

MORRIS: Intricate financial calculation.

PETRIS: Yes. Now, of course, we've lost everything. We've lost the fight on the multinationals, and we lost the fight on the multistate.

MORRIS: Well, Jerry Brown was getting some pressure as governor, wasn't he, from . . .

PETRIS: He was getting a lot of pressure, and he didn't like Huff's uppityness. He didn't like Huff's brazen and daring posture, in which he openly criticized the governor's man, who was the Department of Finance guy, on that thing. The beauty of the arrangement of making it very difficult to remove that officer is that it encouraged independence, so a man would not have to bow to this kind of political pressure, even from the governor. Now, it would take a guy with a lot of courage and skill to do it; it just doesn't come automatically with the statute. You have to have the right person in there. And Huff was the ideal person. Pat Brown appointed him to that. He had previously been the auditor-controller of the city of Oakland. That was an appointed position by the city council. No, I think it was elected, too.

MORRIS: It was elected. I think he was appointed at first because somebody

died or resigned or something like that. And then he had to run, so he's had experience on both sides, as it were.

PETRIS: As a technician, the guy's a master. He revolutionized the whole reporting system for auditors around the country, and his very first or second year in office he won a national award for the quality of his reporting system, his accounting and reporting system which was a major departure from what they were doing before. More disclosures and more, I don't know what the ingredients were, but he got national recognition and an award for that.

MORRIS: Yes, he certainly . . .

PETRIS: He's an extraordinary man. I'm biased because we've been personal friends for years, and as I told you before, he's the one who first talked me into running, he and Bob Crown talked me into running for the assembly, and he ran my campaigns in the beginning. So I have that bias, and I admit to it.

MORRIS: That's quite a team.

PETRIS: Yes. [Laughter]

MORRIS: But it circles back around to a couple more questions I had about the state finance and revenue picture. The Board of Equalization, like the Franchise Tax Board, is not very well known in the general public. Again and again, the question comes up and, as

you mentioned, it's back before the legislature this session, that the Board of Equalization and the Franchise Tax Board should all be put together into one . . .

PETRIS: A revenue-gathering agency of some name.

MORRIS: Why does it come up again and again, if it's going to be defeated all the time? What is it?

PETRIS: Because it's still a good idea. Some of the great ideas have taken many years to be adopted. Like women's suffrage.

MORRIS: There you go! [Laughter] Well, women have gotten the vote, so we now have to demonstrate our competence.

PETRIS: Wise use of it. [Laughter]

MORRIS: Yes. What does it take to. . . . What are the reasons why this has never been tried in California, to have one unified . . .

PETRIS: Oh, we've had legislation on it off and on in the past.

MORRIS: Right. Why doesn't it pass?

PETRIS: It always gets defeated because those bodies are all strongly entrenched; they have their constituents, and their allies. There is tremendous opposition from the private sector as well as people in government who are used to a certain system and don't want to change it. The people inside are afraid there is going to be a loss of an enormous number of jobs with consolidation. There's the

power fight that's always going on, somebody's going to give up his fiefdom. It's going to disappear, and at best, he might be a subordinate in some other agency. The people on the outside are comfortable in dealing with the particular tax-gathering agency with which they've been dealing over the years, and they know the persons involved. They feel more comfortable.

It doesn't mean that any irregularities are going on, but it's the same reason the farmers fight like hell against my bills to switch the jurisdiction over pesticides from [Department of] Agriculture to [Department of] Health [Services]. Well, they've been dealing with Agriculture all these years, and they feel comfortable with them. They'd have to start all over again courting the Health people, and their chances of prevailing with the Health people on a real health issue are very poor, and they know that.

MORRIS: The Harris bill--what little piece I saw in the paper said that it was proposing to subsume the Franchise Tax Board into the Board of Equalization.

PETRIS: I'm not familiar with that one at all.

MORRIS: I wondered if there were something, a specific issue that somebody was mad at Franchise Tax Board again.

PETRIS: I don't know; it could be.

MORRIS: Would you have been following the legislation back when the Board of Equalization was making plans to upgrade and reorganize county assessors' practices? Would this have been a bill that you were interested in . . .

PETRIS: In the assessment? Oh, yes, I carried it. That was my bill, along with John Knox, as chairman of the [Assembly] Committee on Revenue and Taxation.<sup>1</sup> We were doing a study of the whole tax system in California with a view to thoroughly revamping it. That was a study that took three years, I think. I went out and contracted with eight or nine professors from both public and private universities, having each of them write a chapter or a volume on a particular portion of our tax structure, both state and local.

My aim at the time was to adopt a long-range program which would gradually eliminate the property tax altogether, with a possible retention of just enough to cover police and fire costs, and that's all. Take schools out, take everything else out, and shift to a more progressive, income-based tax. It would have been

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<sup>1</sup>A.B. 80, 1966 Reg. Sess., Cal. Stat., ch. 147.



beneficial to the poor, it would have been progressive, it would have eliminated the inequities that we were facing that gave rise to Prop. 13<sup>1</sup>, of taxes rising at an enormous rate, and severely hurting people in the older category on fixed income, due to the rising values of property. Counties were making a killing on more and more revenue without having the pain of raising anybody's tax rate. You didn't need to raise the rate if your base is just climbing like crazy, like a rocket, and that's what was happening.

Our bill, unfortunately, was killed by the senate. Pat Brown was opposed to it, for some reason or other. If that had passed . . . . And it was a whole series of subjects into this one bill. The subject was taxes, but all the different components. We had withholding of personal income tax in it, we had the gradual shift. I'm convinced, and the professional observers are convinced, that if that had passed in that year, we never would have had Prop. 13, because our new program would have kicked in and brought. . . . We had senior citizen tax relief while we were waiting for the taxes to be eliminated.

Several of the ingredients were ultimately passed. We had

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<sup>1</sup>June 1978 initiative ballot measure that sharply reduced local property taxes, authored by Howard Jarvis and Paul Gann.

PETRIS: elimination of the business property tax altogether, tax on inventory, and fixtures. We figured that to tax a business without reference to the profit doesn't make sense. It's unfair.

MORRIS: You're taxing the same thing over and over again.

PETRIS: Yes, same thing over and over again, and it bears no reasonable relation to the ability to pay. This desk would be taxed forever, under that program. As long as I have it, it's taxed. Whereas, if I'm taxed on my profits, I'm more willing to pay that, because I am making a profit. But this desk is taxed whether I'm making a profit or not, and that's basically inequitable. That was in the package, and that passed later.

So a lot of the ingredients passed, but they didn't have the impact because they were piecemeal, they didn't come all at once, and it didn't work, because the thing that never did pass was the gradual elimination of the property tax in favor of the various income taxes. We weren't taking anything out of sales, because sales tax is not progressive.

MORRIS: You were going to phase out the sales tax, too?

PETRIS: No, no. But we weren't changing the sales tax. We weren't going to increase the sales tax, is what I mean. We were going to increase the personal income tax, the bank and corporation tax,

and any other business income taxes. Those are the main things.

MORRIS: Why did Pat Brown object?

PETRIS: I don't remember now. There were several leading senators opposed to it.

MORRIS: This was still in Hugh Burns' era?

PETRIS: Yes. And George Miller was chairman of the Rev. and Tax. Committee at the time, before he went<sup>1</sup>. . . . No, I guess he went to the Budget Committee. At any rate, some of the big guys there were against it.

MORRIS: He didn't like it? He was a bread-and-butter man.

PETRIS: He didn't like it. The senate had done their own study, but it was really very minor and limited compared to ours.<sup>2</sup> We had some of the best guys in the state. We had Professor [ ] Summers, UCLA, for example. We had two or three professors from UC Berkeley, including one from the law school. We had a marvelous group of experts that wrote these things. As a matter of fact, it went out of print so fast, we had to have a second and third

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<sup>1</sup>By 1963 Miller was chairman of the Senate Budget Committee and Joint Legislative Budget Committee, and a member of the Senate Revenue and Taxation Committee.

<sup>2</sup>Senate Fact Finding Committee on Revenue and Taxation, 1963.

printing, because of the demand from legislatures and the academy all over the country.

When I first met Paul Sarbanes, U.S. Senator from Maryland, he said, "I've known you for years." I said, "What do you mean?" He said, "When I was in school--" (shows you how old I am) "--I majored in economics. Your study of your tax system and the recommendations was cited by our prof as the finest thing of its kind that he had ever seen. I studied it--" he knew a hell of a lot about it. He remembered more about it than I did. And then later, for years later when I would introduce him to some group here in California, he would refer to that story. "You've known Nick Petris a long time, and you think you've known him longer than I have. Well, I've known him since I read his report." That was very nice.

MORRIS: This was about the period that Pat Brown was looking for more tax revenues.

PETRIS: Well, I guess he always was, because we used up that surplus from World War II.

MORRIS: He was trying to fund the water plan and . . .

PETRIS: Most of the time, he needed all kinds of money.

MORRIS: . . . higher education, and in '62 and '64, he wanted to increase

the gas tax and the tobacco tax and the liquor tax.

PETRIS: That was right in the beginning, because he inherited a deficit. We never have a deficit, but we have a shortage. [Laughter] And that he did. He had a marvelous plan in the beginning, in his very first year, because the prior administrations had used up the big surplus without raising taxes at all. Can we take a short break?

MORRIS: Absolutely.

[End Tape 7, Side B]

[Begin Tape 8, Side A]

PETRIS: I think the senate killed it because Unruh came in and insisted on testifying and telling them what a great bill it was, and there was this terrible battle going on between the senate and Unruh. They were gleeful in their hurry to dump that bill. I practically cried, because I'd worked on that thing for three years.

Then we had the other bill, A.B. 80, that came later. You asked about the assessors and the corruption. That bill was drawn. . . . The assessor part of that bill, as far as raising the standards, and providing some safeguards against that kind of corruption, was drafted by the attorney general. That was another great big fight. That bill was passed.

MORRIS: Was Tom Lynch the attorney general who drafted it?

PETRIS: I guess so. Well, his people. And there was a big dispute between John Knox and me on the honor of carrying that bill. Knox had done a lot of the work as chairman of the Local Government Committee, and [Assemblyman] John Williamson had done a lot of work as chairman of the Agriculture Committee on legislation which eventually became the Williamson Act,<sup>1</sup> having to do with agricultural . . .

MORRIS: Preservation of farm land.

PETRIS: Preservation, and the proper assessment of farm land. I came in from the Rev. and Tax. end of it. So we were all authors on it, but I was still. . . . Unruh let me stay on as the chief author, but I damn near got defeated at the next election [1966] because of that bill. In making adjustments. . . . See, what the assessors had been doing, they had been giving people a lot of favors, business people, underassessing, and taking bribes for it.

MORRIS: A couple of assessors got into serious trouble for it.

PETRIS: Right. Well, went to jail. In Alameda County, one went to jail; San Francisco went to jail, L.A. went to jail; a bunch of them went to jail over this. That's why the attorney general was so active in

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<sup>1</sup>A.B. 2117, 1965 Reg. Sess., Cal. Stat., ch. 1443.

the legislation. And what they did in my county, they sold that bill as one that was an attack on the homeowners because they claimed we lowered the assessments for business and raised it for homeowners. That wasn't true at all. We cleaned up. . . . We prevented the assessors from doing what they did before, and there were some adjustments, but the thrust of it was to make sure that business paid its fair share. Anyway, I almost got defeated that year, because of A.B. 80.

MORRIS: The assessors went after you?

PETRIS: No, they didn't. The Republicans went after me. That was the first year of the plan they named after the doctor who was state chairman of the Republican party, I forget his name now.

MORRIS: [Gaylord B.] Parkinson.

PETRIS: Was it Parkinson? There was a Parkinson Plan. He was the guy who said, "Republicans shall not attack each other," the eleventh commandment. Parkinson's Law, it was called.

MORRIS: Right.

PETRIS: All right. That was the first year that they made up a hit list of Democrats, and I was number one on that hit list. So they raised a lot of money against me that year, and it was the year that Ronald Reagan ran. [Laughter] He swamped us.

MORRIS: And it's the year you're moving . . .

PETRIS: I was moving from the assembly to the senate, '66. Reagan really swamped us. We lost some seats in the assembly, and I won that, out of a total of 600,000 votes cast--because I had the whole county--I won it by 18,000 or 19,000. That's all.

MORRIS: What did you do to counteract this being on the hit list?

PETRIS: [Inaudible] [Laughter] I did everything I could. I put out information, I made a lot of speeches, and sent out. . . . Then they attacked me again. See, I drew a short term, I drew a two-year term for the adjustment period, and they went after me again the second time. This time, they ran the chairman of the board of supervisors against me, [Robert] Bob Hannon, who was a marine hero, and attorney in town, and chairman of the board. They did the same thing all over again.

But I had blunted it, because in challenging the attackers, I said, "Why don't you take this to the grand jury? See if you can stand that."

MORRIS: Oh, that's an interesting device.

PETRIS: I went to the board, and I was furious with the board. They were the majority of . . .

MORRIS: The board of supervisors?



PETRIS: Yes. The board of supervisors of Alameda County. I said, "The corruption around here is so deep, if you're denying it, then you're part of it. If you want to clear up the mess, take it to the grand jury." And they did go to the grand jury, to do a study of the assessment practices in Alameda County--not the criminal end . . .

MORRIS: The administrative end.

PETRIS: The administrative end. Most of their functions are monitoring local government. They came up with . . .

[Interruption]

MORRIS: Somebody told me that Robert Connelly was one of your staff associates earlier on.

PETRIS: Yes, he was my AA [administrative assistant] for quite a while. [Assemblyman] Willie Brown [Jr.] stole him from me, put him on the Ways and Means Committee staff.

MORRIS: Right. Well, and the Department of Forestry had him for a while, too.

PETRIS: Yes, that was later, much later.

MORRIS: Was he a newcomer to state government then?

PETRIS: Well, I don't remember where he came from, to tell you the truth. I remember interviewing him, but I don't remember where he came from. I had a lot of people applying, and I picked him.

MORRIS: Why him?

PETRIS: Well, I thought he was bright, and he must have had some experience. I don't remember what his experience was. I just felt he was a darn good man, and he turned out to be a crackerjack. He really was very good.

MORRIS: Did he already know his way around the capitol?

PETRIS: I think so, yes. I can't swear to it. I'm sure he did; I just don't remember.

MORRIS: Did you put him on any special kinds of projects or tax . . .

PETRIS: No, he was AA. He didn't do any tax stuff. He did the district stuff, and he did legislation, and he did correspondence. The first time I was able to get through the day without dictating a whole bunch of letters. He did the letters and I checked them out and signed them.

MORRIS: So when you first got an AA, Bob Connelly would have been your first?

PETRIS: Oh, no, he wasn't my first. I had several. I don't remember where he fit in the sequence. But he was one of the earlier ones. No, I had other AAs before that. Now I don't remember.

MORRIS: And then I talked briefly with Jonathan Lewis. He said he was a graduate student when you hired him for your staff.

PETRIS: Yes. He was with me for seven years. We thought it would be two or three, and he lasted seven. He was a graduate student, and I liked him right off the bat. He was marvelous. He was succeeded by Cariolina Capistrano. What a marvelous name. Stanford Law School grad. Father was a janitor there. His father was born in Mexico.

MORRIS: That's quite a great American success story.

PETRIS: Quite a jump.

MORRIS: Was it Jonathan Lewis' idea or yours that there needed to be something like the California Tax Reform Association?

PETRIS: Well, I don't remember that. I know he was the driving force behind it. I think the idea was probably his. We had talked about tax stuff, because I had carried a lot of legislation over the years. I talked to him a lot about that study we did, and so forth. I believe that the idea of creating that was his. Eventually, he left and became full-time director of it.

MORRIS: Was the idea to build public support in . . .

PETRIS: Yes, statewide public support, a network of the people who would favor a better tax system. Excuse me.

[Interruption]

MORRIS: You've got a number of people waiting on your every word.

[Laughter]

PETRIS: Comes with the turf.

MORRIS: What success did the CTRA have in building some support for some of the legislation?

PETRIS: Well, they created chapters around the state, and we had a bill called the Tax Justice Act, which didn't make it, but it was one heck of a good bill.

MORRIS: I haven't heard about that one. Most of these I've . . .

PETRIS: It had about 150 statewide organizations supporting. . . . Not statewide, but well over 100 organizations supporting it. A lot of the senior groups, a lot of the ethnic groups. It would have been a rather substantial transformation of our system, including elimination of capital gains [Laughter], long before the feds came up with it. I got a pretty severe pounding on that part of it, especially from the real estate people. All except one: Angelo Tsakapolis, you've probably heard of him.

MORRIS: I have. He's the Sacramento realtor who's had his own political troubles.

PETRIS: Big developer. Right. He recently acquired the Southern Pacific depot here in town, and thirty-six and a half acres of property that's going to double the size of the downtown area. Anyway, I

talked to him about it one day, and he said, "Don't listen to the people in the real estate industry. I know them, I live with them, it's not going to hurt them. This is an excellent bill, and it will bring about some fairness and equity in our tax structure. And even if it does hurt them, and it makes them pay a little more tax, they should, and so should the investors. And I'm speaking to you as one who has a lot of people who invest in my projects."

MORRIS: Plus he has presumably a lot of investments and a lot of capital gains.

PETRIS: Oh, yes, his own, sure. On his own personal ones, he would have them. On the ones he does on his business, he probably wouldn't have them, because when you deal in those as much as he was doing, you become what they call a trader. If you're a trader, you don't get capital gains.

MORRIS: Because you're a permanent middle man?

PETRIS: Yes. Well, I don't know if it's permanent middle man. . . . No, it's the guy who buys and sells himself. It's not the middle man role, it's the owner role. I forget what the rule is, but if you go past a certain number of transactions in a given period, you don't get capital gains on them.

MORRIS: There is some very intricate business.

PETRIS: He's the only guy in the entire state that I know of who supported that bill and encouraged me to go after it.

MORRIS: Did you come back with it another year, reintroduce it?

PETRIS: No, I don't think so. I think we made one run at it, and then we exhausted all our resources. You know how you do on those big fights, you put a lot of emotional capital into it. People came in from all over the state, the state AFL-CIO [American Federation of Labor-Congress of Industrial Organizations] was strongly in support. They testified in favor. I can't remember all the other groups now; there were a lot of them.

And there was this other group that Jerry [ ]. . . . I've forgot his name, but somebody in San Francisco created, it was the Citizens Action group. I think that's what they called it, Citizens Action. They had chapters all over the state, mostly in northern California. They pored into the capital in support of that bill. I had very, very broad support.

MORRIS: It's a consumer action . . .

PETRIS: Consumer bill, yes. The consumer people supported it.

MORRIS: If you had all those . . .

PETRIS: It whittled down the privileges of the upper-income people and shifted the burden more to them, and took a good part of the

burden off the middle and lower income. Kind of leveled things a little bit. Of course, they don't like that, and that's why all the real estate people were up in arms.

MORRIS: But if you had all that kind of grassroots support from over 100 organizations . . .

PETRIS: It's no match for the private interests that are well-supported up here. We didn't get it out of committee.

MORRIS: It leads me to ask a question that might be a good place to stop for today, if your next appointment is here. What has happened to your own campaign contributions over the years? As you've been leading these crusades for the common man, has that affected your sources of financing?

PETRIS: Well, yes. When I have a fund raiser up here, which is seldom, (some of the members have two or three in one year), those are attended by the local lobbyists. I don't do nearly as well in that group as I do at home. But thanks to my district. . . . I've been under some pretty heavy assaults during my elections, but the last several elections weren't bad at all.

I've found that if I just stick to my guns and I go after those people, they won't give me money, but others will. I mean, I had a running battle with the insurance lobby for years. I still do. I

take them on every time I get a chance. I get all kinds of contributions from insurance folks.

MORRIS: Really?

PETRIS: Yes. Unsolicited.

MORRIS: As individuals or small companies?

PETRIS: No, no. Big outfits, the association. A thousand dollars at a time. They just mail me the checks, and I cheerfully deposit them in the account and say, "Thank you very much," and go out and vote against them. [Laughter] I guess after you've been at it for a while, they just kind of give up and they do it for good will, I don't know.

MORRIS: Right, or good government.

PETRIS: Their lobbyist, with whom I've become quite well acquainted, and I have a tremendous respect for him for a number of reasons, he comes in or he collars me in the hallway and he says, "Well, I want to talk to you about my one vote for the year that you're going to give me." I said, "Come on! I've been giving you more than one vote a year." He said, "Find them." [Laughter] And he'll talk to me about a particular bill. But I would say seven or eight or nine times out of ten, I'm on the opposite side of the issue with the insurance companies, especially on this liability stuff, and



the deep pocket thing. I've accused them publicly of monumental fraud against the public, and I've carried bills that require them to provide more information to the commissioner, so that we'll know what their financial picture is. I've carried the bill for several years that never passed that would have removed their special exemption on property tax, which is in the constitution. Even with Pat Brown's help as governor, I couldn't get that darn thing passed. It required a two-thirds vote. We finally made it, after somebody else picked it up, and it went to the people, and the people. . . . That proposal whittled down their exemption.

But you see, at a time when supposedly California was short of insurance companies, was short of investment for highrise buildings, they offered the insurance companies this incentive to come in, place their headquarters in a building which they owned, and if they did that, the entire building is exempt from property tax. Can you imagine that? And that prevailed right down to Pat Brown's time.

MORRIS: Good heavens.

PETRIS: Well, as chairman of the tax committee, I thought that was a terrible thing. I made at least three runs at it, maybe more. Never. . . . Always lost it on the floor. Always got it out of

committee, because it was my committee and the committee was friendly and all. But we got dumped on the floor every time.

MORRIS: Does that go back to the 1930s, the Depression?

PETRIS: I suppose, yes. Probably. Probably was a good idea at the time, but it long had outlived its usefulness. So a lot of the companies, they'd build a twenty-story building in San Francisco, and they'd occupy one-half of one floor. Exempt for the whole building.

MORRIS: That's pretty neat.

PETRIS: Now, actually, they paid the tax, but then they got a credit against their corporate tax. So on their income tax, they deducted the total amount of the property tax, so it was beautiful. It didn't deprive the county of their property tax money, but it did deprive the state of that portion of their corporate tax. Pretty nice.

So I was not one of the favorites of the insurance industry, and I am not to this day. And yet I get money from them.

MORRIS: Do you think that individual lobbyists make a distinction between good government, that they admire good government even while they're wheeling and dealing in behalf of their own . . .

PETRIS: I'm sure of it. A lot of them do. They know the big picture. Well, a lot of those contributions are made just for good will, just so a guy doesn't have to feel that he should go the other way

when he sees you because his clients never gave you anything.

That's all part of good will.

MORRIS: You said you had been targeted during other campaigns.

PETRIS: Yes, twice.

MORRIS: What was the second time?

PETRIS: Well, it was the very next time, '68. 1966 and '68. They put a lot of money into that, and as some of my friends put it, "Well, you can relax now, they've broke their lance on you. They're not going to try it again," and they haven't since. They haven't run a strong candidate against me since '68. They haven't run anybody against me; it's just been individuals popping up and doing it on their own.

MORRIS: Well, thank you very much. Some wonderful adventures today.  
We're making . . .

PETRIS: Are we making headway?

MORRIS: We're making headway.

PETRIS: Good.

[End Tape 8, Side A]

[Session 5, October 12, 1989]

[Begin Tape 9, Side A]

MORRIS: What I wanted to ask you to think back about this afternoon is the evolution and development of the Bay Conservation and Development Commission, and what it says about the legislative process and government policymaking, things like that. When we first talked, you said you'd been interested in environmental issues from when you first went in the assembly, and I came across a reference to you becoming acquainted with the Save-the-Bay [Association] ladies in 1961. They came and asked you to help them find out how much of the [San Francisco] Bay the state owned and what the State Lands Commission knew about it. Do you remember talking to the State Lands Commission people on it?

PETRIS: Yes, sure. I didn't remember the year. I had started there in '59, so it was in my second term. I didn't have a lot of talks with the State Lands Commission. They always had impressed me with a fierce sense of proprietary interest in the Bay lands. It seems to me they weren't too eager to have other people messing around it.

The critics who wanted to save the Bay were very critical of the commission, accusing them historically of giving up too much. Their defense was, "Sure, whenever we do, we have that residual clause that says we can yank it back if they don't preserve, and so forth." I don't recall if they ever did in those days. They've certainly done it a lot since. There were some jurisdictional battles and, you know, differences of interpretation as to where their jurisdiction ended and how far the Bay lands go.

That's one of the reasons we have this definition in the statute on finding the area under the control of BCDC. How far inland does it go? It's measured by the tide plus certain distance. And we did it broadly enough to make sure we covered all the contingencies.

MORRIS: I thought part of it was that the cities claimed some of the land in the Bay even though it was under water. Did that . . .

PETRIS: Yes, well, they did, and they were being pushed by developers who felt they could work more easily through a city than talk with a state agency, so they were supportive of the city's position, thinking that it would be easier for them to get what they wanted, not only from a city, but tackle each city individually, as opposed to a united front.

That's one of the reasons so many cities opposed the commission being formed. They fought it. The ABAG people incurred my eternal wrath. I've never been friendly with them since, except on necessary things, because they fought very hard against the creation of that commission.

We tried to point out to them that it was in their own interest. They emphasized, "Well, you're forcing us to do certain things. It's much better to have it on the basis of voluntary action by the cities. If a city wants to put in some kind of facility, they ought to be permitted."

We pointed out they'd put garbage dumps in some places where they didn't belong, and one city's great work of art would be another city's garbage dump as far as they're concerned. So it's better to have it go through one body where they have the Bay as a whole in mind. And we finally won it, but it wasn't with any help from the cities.

I suspect one reason the cities were fighting it was because the developers were pushing them to knock this thing down. We had some pretty tough opposition.

What the ladies brought me was more than that request. They brought me a report written by Harold Gilliam of the [San

PETRIS: Francisco] Chronicle. Environmental guy who had done his own study and published it, on the history of the erosion of the Bay. He pointed out that in--I forget the period of time, but something like the previous fifty years, or less, we've lost a hundred square miles of surface of the Bay to filling. And pointed out all kinds of other problems. One was, actually losing that much surface was bad; and the second was that it was being put to wrongful use because the particular activity did not have to be on the water--it could be up on top of a hill, in many cases. If it was a new wharf for shipping, that's fine. But if it's to put a factory to make shoes, you can make shoes down the valley. You can make them on the hill; you don't have to have it right there.

MORRIS: In other words, they were taking fill in some areas from the hills and putting it into the Bay?

PETRIS: Yes, and thereby shrinking the water area of the Bay.

And the third is that it upset the flushing action in the Bay. If you protrude into the Bay to a certain point, you upset the natural flow, and it led to creating some stagnant pools in certain areas of the Bay where we didn't have them before. That was one of the most important effects.

And, you know, having seen that, they came to see me and

said, "You've got to stop that; otherwise you're not going to have a bay anymore, if this keeps on." That was a trigger for my getting into it. That was Mrs. Clark Kerr and Mrs. Gulick, who's the wife of an old prof of mine whom I've admired for many years.

MORRIS: Really?

PETRIS: Yes. He taught econ. He taught the history of the labor movement in econ. I had taken a course from him at Cal; I used to go out and see him, occasionally have a brown bag lunch with him. Marvelous man.

MORRIS: Had you taken the history of the labor movement course?

PETRIS: Yes. And the other one was Mrs. . . . Oh, my, my . . .

MORRIS: Sylvia McLaughlin.

PETRIS: McLaughlin, yes. Her husband was a regent for many years. She was very bright, really very good. So those three knew more about it than anybody. They're the ones who formed the Save-the-Bay.

MORRIS: They're a pretty powerful group of ladies.

PETRIS: And they're powerful, yes. Yes. That's right. One's the wife of a regent, the other's the wife of a chancellor, and the third, wife of a veteran prof who'd been there a long, long time.

MORRIS: Right. So they're people you'd really listen to when they came to



see you?

PETRIS: Right.

MORRIS: Were there other people in the assembly at that point who were also interested in . . .

PETRIS: No, not that early. Didn't have much luck in the assembly. The bill never got out. I don't remember how many times I introduced it, but it was more than once.

MORRIS: Well, let's see. You mentioned earlier that in 1963 you introduced a bill for a study commission in a moratorium on filling. John Knox was one of the co-authors.

PETRIS: Yes, he was. He was co-author thereafter. And he also had his own separate bills after I got into the senate. He carried his own separate bills, and it was actually his bill that we used after mine had been defeated, to save the Bay.<sup>1</sup> We coordinated that very closely with him after he came in, too. He was tremendously helpful, especially because he was chairman of the [Assembly] Local Government Committee.

MORRIS: [Senator J.] Eugene McAteer was also in there early.<sup>2</sup>

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<sup>1</sup>A.B. 911, 1968 Reg. Sess., Cal. Stat., ch. 853.

<sup>2</sup>S.B. 14, First Ex. Session, Cal. Stat., ch. 98 (1964).

PETRIS: That's right. It was called the McAteer-Petris Act. After I failed to move it, McAteer came to the rescue. I don't remember whether it was my second or third go-around, and I don't remember now whether I was already in the senate. I'm not so sure.

MORRIS: It was '65 when the temporary BCDC was set up.

PETRIS: Well, then I was still in the assembly.

MORRIS: So you were still in the assembly.

PETRIS: So I think that's what happened. I finally managed to get it out of the assembly. When it got to the senate, McAteer came to the rescue. He was a very strong advocate. He sat on the [Senate] GE [Governmental Efficiency] Committee, which is very powerful and would ordinarily have killed it. He got help from his old navy friend, [Paul] Red . . .

MORRIS: . . . Fay?

PETRIS: Fay, Secretary of the navy.

MORRIS: Really?

PETRIS: Yes, he went that high to get the feds to run interference for us in preventing a federal agency from trying to oppose it. Like the navy, for example.

MORRIS: Would the navy or other federal agencies have been likely to take an interest in this kind of legislation?

PETRIS: Yes, sure, because of Alameda Naval Air Station. They did a tremendous amount of filling. They have a major interest. And of course, the Coast Guard is a federal agency. They're supposed to . . . . And the Corps of Engineers has something to do with filling the Bay.

MORRIS: I thought their role was dredging the Bay.

PETRIS: Yes, but they. . . . Anything that changes the physical makeup of the Bay, either by filling or dredging, has to go through the engineers. Had to at that time. They were very cooperative. The feds--I guess due to McAteer--the feds are usually pretty good. We didn't have any trouble from the feds.

We had trouble from everybody else. We had trouble from builders. We got strong opposition from labor unions, especially the operating engineers who man the big machines that do the dredging and the filling and all that stuff. We had the railroad company solidly opposed; it owned miles of shoreline on the East Bay side. Santa Fe [Railroad]. Especially Santa Fe, but also SP. Title companies were against it. They thought the titles would get all screwed up if we allowed some new agency to monitor things. There weren't very many that were in favor of this, other than the three ladies. We had Senator Dolwig of San Mateo, who was

strongly opposed, and I think he chaired that key committee at the time.

So the Sierra Club came in; they've written a chapter on it in their book. The Sierra Club has a book on how to get legislation enacted in favor of environmental protection. I don't know if you're aware of the book.

MORRIS: No.

PETRIS: I can't remember the title.<sup>1</sup>

MORRIS: I'll look it up.

PETRIS: They cite this as a model for the way you get things done through citizen involvement. What the Sierra Club did, is they joined in with Save-the-Bay people, who were really the leaders, these three women. They went around creating interest all over the Bay. I think they might even have formed little committees, some of which became chapters of Save-the-Bay Association. They did a very skillful job on Dolwig. Dolwig was a very conservative senator from San Mateo County, and he headed this committee. He had announced many times that that bill wasn't going to get past him, period.

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<sup>1</sup>The Sierra Club Political Handbook, ed. Gene Coan, Sierra Club, 1979.

MORRIS: This is the Government Efficiency Committee?

PETRIS: Yes. I'm not sure he was chairman. I think he was. Because a good part of that time the other fellow from Benicia was chairman. The newspaper publisher who died a couple of years ago.

MORRIS: [Senator] Luther Gibson?

PETRIS: Luther Gibson. I forget who was in which chair at the time, but at any rate, Dolwig was very strongly opposed. There are a lot of interests in his county that had built next to--what's it called? Redwood City into the Bay . . .

MORRIS: Foster City?

PETRIS: Foster City. They wanted to do a lot more than that. I fought against that before this stuff even came up. I was a freshman. I fought very hard against the whole Foster City idea . . .

MORRIS: Was this the Leslie Salt [Company] interests?

PETRIS: That's part of it, yes. Leslie Salt and [Assemblyman] Carl Britschgi, the assemblyman from that area. He was a veteran. I didn't have much left going up against him on the floor. I attacked it on the basis of their use of the public credit. They got some kind of bond things to finance it, and I said, "This is private development. We have no business authorizing the public credit to be used for private development. Furthermore, they're destroying

that part of the Bay." Well, I lost that one handsomely.

[Laughter]

Now, Dolwig, in my mind, was the skipper of the submarine that was going to torpedo this bill. So the Save-the-Bay people, with help from the Sierra Club--it was mostly the Save-the-Bay people who were doing this--they did a fantastic letter-writing campaign right out of his district. They made up little postcards with a little bag of dirt, like the ones you get crossing the Great Salt Lake on the SP. The salt bag?

MORRIS: Yes.

PETRIS: And they sent it to Dolwig. The appeal was, "Don't fill the Bay." They put out bumper stickers that said, "Fill the Bay--with Dolwig." [Laughter] Boy, he took one look at that, and he really started to pay attention, because they flooded the district. They did a fantastic job. These are citizens, now. He was converted by that effort, from being the skipper of the hostile submarine to being one of the pilots on the boat that steered that bill into port. When we had our picture taken with the governor at the signing, he was there, taking full, well-deserved credit for his role in getting that bill passed. Dolwig is in the picture, Knox is in the picture, I'm in it, and two or three others. I don't remember who

the others are. I've got it somewhere.

But I think the editorial in his newspaper, that always supported him, criticized him severely for his statements about blocking this bill, pointing out how valuable the Bay was. San Mateo Times, I think it was. Unless I'm mistaken, they came out with a strong editorial supporting this effort. Of course, that had an impact on him as well. But they flooded him with letters from constituents. Plus letters from all around the Bay too, but the ones that counted were in his own district.

MORRIS: Was it customary in those years, around 1960, for citizens to get involved to that extent and do letter-writing campaigns?

PETRIS: Not that much. No, there were flurries of things, but this was the best organized thing that I had seen up to that time.

MORRIS: The first time that there had been that much mail in the . . .

PETRIS: I think so. Well, I don't know. You see, I hadn't been there very long, so I didn't know what the prior record was. All I know is that they did a marvelous job and we encouraged them, and we had periodic meetings establishing what our strategy was going to be. Those of us like Knox and I and McAteer were meeting with them from time to time to give them some guidance on things they needed to do, because they were totally inexperienced in this. It

was such a good effort and it worked so well that they say, the Sierra Club, in their book in one chapter cites this as the model for getting things done.

MORRIS: I can believe it.

PETRIS: By citizen participation.

MORRIS: Did some of the Save-the-Bay organization people have some ideas on what should go into the bill and how it should be drafted?

PETRIS: Oh, yes. Oh, absolutely. They were very involved because once the tide started turning in our favor, then we had a lot of the opposition trying to whittle away exceptions for themselves.

One of the exceptions was Emeryville. To my regret, I really weakened on that, and permitted Emeryville to proceed with a plan they had had for some time to put a strip into the Bay reaching out from Emeryville, where they have those buildings now, and they have a hotel and a couple of office buildings, and at the end of the strip is this big Chinese restaurant. I was persuaded by a very sweet member of the city council, an Italian immigrant. I forget his name; I think it's something like Goarigno, something like that.

He came to me three or four times and told me that they were really in distress, that if they didn't get an enlarged property



tax base and a few more people in there, the city was going to be in big trouble. It had nothing but industry; they wanted to get more residents, and so on and so forth. He had some good arguments, and I said, "Well, you've got to find some other place." He said, "There isn't any other place. We've had this. It's not like we just thought of it. It's been in the works for a long time but we haven't moved on it physically yet because of the long time it takes to put these things together." So I consented to support that amendment.

[Assemblyman] Milton Marks was very active with us, too. He should not be overlooked. Marks was very helpful. I think he opposed that right down to the end.

MORRIS: The Emeryville . . .

PETRIS: The Emeryville thing. I supported it. I kind of regretted it later, but at the time I really thought it was OK. I thought it was a good idea.

MORRIS: What about the Albany waterfront area?

PETRIS: They were. . . . I think they got an exception, too. I don't remember who carried that or who handled it, but I handled the Emeryville one.

MORRIS: In other words, you put in an amendment to your bill to make an

exception of Emeryville?

PETRIS: Yes, right. Or I. . . . By that time it was John Knox's bill, because mine got shot down. So we brought. . . . Knox's was being held in reserve, and we knew we could get it out of the assembly. Our tough problem was the senate. So we held this in reserve. I don't know whether he held it on our side or over there, but at any rate, when mine was shot down we immediately moved Knox's over, and we all got on it as co-authors. It was actually Knox's bill that made it. I don't remember. . . . I guess I was still in the assembly at the time, but I was working . . .

MORRIS: It's hard to keep track of it, and that was one of the things . . .

PETRIS: I haven't gone over any of those files or notes, so my recollection on the specific years. . . . I just had the impression that I was still in the assembly, but I was working very closely with McAteer and some other senators who were very helpful.

MORRIS: Because they'd gotten interested in the kind of information that you and Knox had developed?

PETRIS: Yes, right. And McAteer really took the lead. I had no idea where he was coming from. I didn't know him very well, although I'm trying to remember. I got to know him at that time, and became very close friends. We played handball together at the Elks Club

in Sacramento, a block from the capitol. Two blocks. He died later on the handball court.

MORRIS: I remember that.

PETRIS: He had a heavy heart attack, and I went to see him in the hospital several times, and told him, "You ought to slow down." He went right back to it. He was the state champ; he was very, very good in handball.

MORRIS: At handball. Wow.

PETRIS: Yes. He was the state champ.

MORRIS: There was some talk around that time, before he had his heart attack, that he was hoping to run for mayor of San Francisco.

PETRIS: Oh, yes. Everybody assumed he was going to go.

MORRIS: Did he see this Bay conservation as an issue that would help him?

PETRIS: It could be. I don't remember ever having him talk about it. I don't remember him discussing it, but it would have been a good issue for him. But also it would have been a bad one, because there's a lot of heavy industry people who didn't like the idea.

MORRIS: Yes. That's true.

PETRIS: Yes. So there were pluses and minuses in it, for anybody, politically.

MORRIS: What kind of suggestions did McAteer have that you and Knox

hadn't already been using in your efforts?

PETRIS: I don't know that. I know he had some good ideas, and when the bill was passed to create the commission, we . . .

MORRIS: This is the study to do . . .

PETRIS: The study, yes. We made him chairman. He helped bring in some real good people, business people from San Francisco who were enlightened and saw the value of saving the Bay. He did an excellent job as the chairman. We had a lot of meetings, and we held them all over the Bay Area. We had them in San Francisco, we had them in Oakland, we went over to other parts of the Bay Area. We did tours of the Bay, we did helicopter flights around the Bay--you know, to see, to get the real picture. All of that was arranged by him. He was really excellent. He was really tremendous in what he did. I don't think we would have made it without his leadership.

MORRIS: You did all that study in about four months, too. That's pretty . . .

PETRIS: Yes, it was supposed to be a year's study. It was very heavily concentrated, and it took the rest of the time to write up the report. We had Joseph Bodovitz doing that, who was excellent. He was a good staff man. Later he became the director of the

commission itself. He headed the staff study, and then he headed the staff when the commission itself was created.

MORRIS: It sounds like he was the person who knew most about all the available information. Where had you found him?

PETRIS: I don't know where we found him. I don't know where he came from. Probably McAteer found him. I think McAteer was responsible for getting guys like [Melvin] Mel Lane. Mel Lane of Sunset Publishing Company was the chairman, the first chairman of the commission itself. McAteer headed the study group, but Mel Lane headed the. . . . And he was terrific. He was really good.

MORRIS: Was he already converted to the needs of . . .

PETRIS: Oh, yes. He's always been a good environmentalist. Yes.

MORRIS: So the bill was passed in '65 that set up the study commission,<sup>1</sup> and . . .

PETRIS: Then we had to have a bill that set up the . . .

MORRIS: Set it up as a permanent . . .

PETRIS: Yes. A year later, in '66 . . .

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<sup>1</sup>S.B. 14, 1964 First Ex. Sess., Cal. Stat., ch. 98.

MORRIS: . . . Commission.<sup>1</sup>

PETRIS: . . . I think, we put in the bill for the permanent commission. And that was the year that I was elected to the senate. I started serving in '67.

MORRIS: Right.

PETRIS: So the bill was signed by Reagan. I'm pretty sure; I'm not positive, but I think. . . . Maybe not. Maybe it was still Pat Brown who signed it in '66.

MORRIS: Pat would have signed the bill setting up the temporary commission.

PETRIS: Yes, he signed that.

MORRIS: It was '69 that it made BCDC permanent.

PETRIS: OK, then that would be Reagan.

MORRIS: Right.

PETRIS: Yes, that's right. We had a long fight on that. It was never easy. Had a long battle.

MORRIS: Were the Reagan people active in opposing the bill?

PETRIS: I don't remember that. I don't think they were very supportive, to tell you the truth. They were supporting the industrial folks who

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<sup>1</sup>A.B. 2057, 1969 Reg. Sess., Cal. Stat., ch. 713.

were opposing it. But somehow or other, we persuaded him, and he signed the bill. And then when he made appointments, I remember one of his appointments was a very conservative Republican. I think he put him on there to put the brakes on this. He turned out to be the president of the San Francisco Yacht Club, and he was a great Save-the-Bay advocate.

MORRIS: Oh, really? [Laughter]

PETRIS: Oh, he was terrific. I don't remember his name, but he came out just the opposite of what Reagan expected. We got a big kick out of that.

MORRIS: Did you already know this man as a pro-Bay person?

PETRIS: No, I didn't. Didn't know anything about him. But I knew from the way people described him, they said, "Oh, you've got to watch this guy; he's very wealthy, he's close to Reagan, and he's this, and he's that, and a big contributor." We said, "Oh, boy, we're going to have problems." But it turned out to be just the opposite.

[Laughter]

[End Tape 9, Side A]

[Begin Tape 9, Side B]

MORRIS: Question: How much veto power did the commission have over the staff recommendations and legislative intent?

PETRIS: Well, you're supposed to stick with legislative intent and not detract or deter from that, divert themselves from that, but we put some rules in there that put a lot of heat on the commission to act quickly. For the first time in, I think, the history of the state. I was very proud of that. That particular part of it was mine.

We wrote into the bill a provision that when an applicant files a request with the commission for permission to do something on the Bay, they had to get an answer, yes or no, within a certain period of time. I think it was ninety days or 120, I don't remember. It's still in the law. And if the commission did not respond within that time, then the application was deemed to be granted.

Now, the business people really loved that, because they had this very, very deep suspicion of bureaucracy and government and so forth, and being tied up for two or three years. Now, what they did, they learned to go to the staff long before they formally applied, see. Which was OK also, because the staff told them, you know. . . . The staff gave them good guidance, just like they do with the planning commission. You go to the staff, and you say, "I want to build an apartment house in this area. What are the problems?" So you sit down and you learn about the problems



and you try to work them out. So they soon learned that they just don't go in cold and drop a petition on them. They do all the groundwork ahead of time, so that they were able to get quick decisions, having already solved the problems and gotten over the obstacles. Or dropped it. If it was so bad, they just dropped it and tried to go somewhere else.

MORRIS: Before I ask you another question about that, I came across a note that during the temporary moratorium stage, when the study commission was going on, just before that moratorium became effective, Pat Brown's Resources Agency Administrator [Hugo Fisher] approved three Bay fill projects.<sup>1</sup> Do you remember that?

PETRIS: No, I don't remember that. I do remember there was quite a flurry. There was a mad race to do things. People were trying to get in under the deadline. In fact, I think one of the issues in Emeryville was that they'd already had approval beforehand. That was challenged and went to the [California] supreme court. The supreme court ruled in favor of Emeryville.

MORRIS: This was before you put in the amendment making an exception for Emeryville?

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<sup>1</sup>See Regional Oral History Office interviews with John Knox and officials of the Save San Francisco Bay Association.

PETRIS: I don't remember the timing on that. Now, let me see, now, how that worked. Emeryville was working furiously twenty-four hours a day to fill, to complete it. At the same time, they were working on the exception, and then at the same time as the court case was going on. So I don't remember what the sequence was.

MORRIS: So all three of those things were going at the same time.

PETRIS: I think they were all going, and I believe at the trial court level, the . . . I don't remember now which way it went, whether the judge issued an injunction blocking them, or. . . . No, I think at the trial court level, Emeryville won. So that was quickly appealed, and I think it eventually went all the way to the supreme court.

MORRIS: Here in California.

PETRIS: Yes. Their idea was, "Well, by the time it gets to the supreme court, it will all be filled. The court isn't likely to say, dredge it out again." And I think the ultimate decision was in favor of Emeryville. I think they found some way to interpret it that they were really grandfathered in after all.

MORRIS: I see. So that that made it, you might as well give them the exception since they were . . .

PETRIS: Maybe.

MORRIS: . . . going to win in court anyway.

PETRIS: I'm very reluctant to be emphatic about that. I'm very hazy on the sequence. Because I was committed to helping them before any decision came down.

MORRIS: Right. Before they had gone to court on the matter?

PETRIS: Well, at least before there was a decision.

MORRIS: Yes. Do you remember Hugo Fisher being somebody who was helpful in this?

PETRIS: Oh, yes. Yes. Hugo Fisher was one of them. He was very helpful. I'm trying to remember the others that came to our help. Hugo was very helpful. Let's see, who else? Marks was helpful. He was an assemblyman then; he wasn't in the senate.

MORRIS: And was Pat Brown interested at all, or did you not bother him?

PETRIS: Oh, yes. No, he was supportive. There was a team of three or four senators who were very helpful. I can't remember them all, now. I'm ashamed of that. I believe Hugo's in that picture with us.

MORRIS: Well, by then he's moved out of the legislature and was Pat Brown's resources secretary. That's why it was kind of odd if the governor had signed the bill, why his resources secretary was approving the exceptions to the bill.

PETRIS: I don't remember that part at all.

MORRIS: Well, I found it in the newspapers.

PETRIS: Were they big projects?

MORRIS: It didn't specify what they were.

PETRIS: I didn't even know they had jurisdiction. I thought at that time they had to get the approval of the Lands Commission. Because they retained title. They never relinquished title. They gave their conditional grant.

MORRIS: The Lands Commission.

PETRIS: Yes. People could use the land, that there was a . . . The title ultimately still resided in the state, and the state could revoke it. I believe that's the way it worked. So I thought those had to be approved by the Lands Commission. I didn't know it was the Resources Agency. Maybe it was.

MORRIS: Well, maybe he made an exception and talked the Lands Commission into it.

PETRIS: Maybe so. Because the Lands Commission has people appointed by the governor, or by virtue of their office.

MORRIS: Right. It's the state controller and . . .

PETRIS: The state controller is one, and of course he's not appointed by the governor, but he was working very closely with the governor.

MORRIS: There continued to be a number of suits. There was an organization called West Bay Associates that seemed to have a number of continuing lawsuits in relation to whether or not they could proceed with work in, strangely enough, over in San Mateo County. I wondered if people were challenging the legislation.

PETRIS: I think they had a flock of lawsuits right off the bat. There was a flurry of them. There always is on something new and big. I don't know what kind of lawsuits might be pending right now.

MORRIS: Why does a new piece of legislation produce a flurry of lawsuits?

PETRIS: Because the people who didn't want it in the first place are still opposed to it very strongly, and they go in and challenge it on whatever basis they can find. That happens all the time.

MORRIS: They're trying to get the whole bill thrown out? Or . . .

PETRIS: Yes, sure. Trying to get the whole thing thrown out, or get it cut back, or get in their interpretation of it. That's standard procedure in every major issue. In fact, it's so common that in our legislative discussions of the bill people say, "Well, let's not worry about that anymore. We can haggle over the proper wording all day. Let the courts determine it. Let the courts make the interpretation." Meaning that we know darn well that no matter how this bill goes, somebody's going to file a lawsuit, either to challenge it or

to get proper interpretation from the court as to who has authority to do how much.

MORRIS: That's kind of cutting into the legislative purpose . . .

PETRIS: Well, it is if you just give up and say, "Let the courts do it." Other members, of course, are very strongly opposed to that. They say, "Well, it's our job, so let's keep working at it." Because you get hung up on very laborious, painful, time-consuming discussions on wording. And a lot of laymen who aren't lawyers and haven't had to grapple with the law after it's been enacted, and fighting over its proper interpretation in court, the laymen are very impatient about all that. "Aw, you lawyers, you're fighting over the head of the pin. How many people can dance on the head of a pin?" They don't realize the importance of getting proper wording. And the ones leading the discussion on the proper wording are usually the lawyers. The others quickly lose patience with them.

MORRIS: This is in a committee?

PETRIS: In a committee. Members of a committee. Yes. And that still happens, you know. They say we're a bunch of nitpickers. Bunch of Philadelphia lawyers. But actually, what we're doing is trying to reduce as much as possible the likelihood of litigation. If the law is clearly drawn and people can understand it on the surface

from a reading of it, the less room you leave for disagreement on the meaning, the less likelihood there is of lawsuits.

MORRIS: But if it is on the other hand, you would think that people might, if they found it clearly written and it was clearly written in a way they didn't like, that would make them more likely to challenge it.

PETRIS: Sure. Then they'd try to make it obscure and throw sand in the eyes of the observer. That's common too; they put wording in there that they know will create problems.

MORRIS: Has this tendency to challenge legislation in the courts increased over the years that . . .

PETRIS: Oh, I don't know. I just seem to take it for granted. So many of my bills have been challenged that I just think it's. . . . Lanterman-Petris-Short [Act] in mental health was challenged right away in several sections, but the one key section that was attacked right off the bat was in the case of San Diego, and the judge on that was Hugo Fisher. He upheld the constitutionality of the statute under that attack. The same guy that was senator and later resources director. He was appointed to the bench. So I don't know whether that's increased or not. I don't think it's gone down. I doubt it.

MORRIS: As a legislator, do you follow those cases? Do you ever get called

to testify?

PETRIS: Yes. Fairly often. I've only testified once or twice. The testimony of the author is not binding and in many cases not even admissible.

MORRIS: Because you have an author's interest in it?

PETRIS: Well, no, it's not the interest. It's that you don't represent the whole legislature, even though you're the author. The way to get around that is in the critical areas where there's likely to be a dispute as to the meaning. You can write a letter and have it published in the journal, the official minutes, that says, "This is the intention." The best way to nail it down is by resolution. You have a separate resolution signed by a majority of the members, saying, "By this section, we intend this and this and this." Then there's no question. Then I, as one of the authors, can go in with this resolution and tell the judge, "This was our intention, and we took the pains to spell it out in a separate resolution." Now, that doesn't happen very often, but the courts have held that that's the best evidence of intent. A separate expression by the legislature.

Now, we also have expressions of intent within the bill itself. Some bills are drawn with the purpose of calling for the broadest, most liberal interpretation. Others are deliberately drafted to be



very tightly construed, very strictly construed. You put that in the statute, that gives the court some guidelines, too.

MORRIS: What kinds of bills are the committees that you've worked on likely to want to have interpreted broadly?

PETRIS: Oh, it's across the board.

MORRIS: Really?

PETRIS: Yes. The ones that come to mind are the social issues. The health issues. Things like, "Well, who's eligible for welfare?" In the early days, they wanted that to be interpreted very broadly. In the later days, they wanted to keep it narrow. In the tax field, exemptions. Who's entitled to the exemption?

Well, that we usually like to interpret very narrowly. Not open the door to everybody to get an exemption, but make it very tough. A lot of the federal legislation in the New Deal days had specific language of intent to show that it was to be broadly construed. On the great social programs, when you're in doubt as to whether a person's eligible for Social Security, you construe it in favor of the applicant. Because the idea was to cover everybody.

There were great battles fought on the commerce clause. People who didn't like legislation, they extended benefits here and

there, or restricted people from doing things. They'd say, "Well, that's a violation of the commerce clause. You're interfering with interstate commerce." And that's a constitutional reason for knocking it down. So advocates of the benefits would say, "Well, we're going to construe this as liberally as we can. But it's up to the court to determine whether it violates interstate commerce."

MORRIS: That's interesting. How do you define social programs as being in interference with interstate commerce?

PETRIS: Well, I was thinking more of Social Security. But it applies to social programs, too. A restriction on selling certain kinds of medicine in the state.

MORRIS: And that could be interfering with interstate commerce?

PETRIS: Yes, sure. "We don't want you gouging the elderly with your stuff." Well, that's interfering with interstate commerce. On the other hand, we have the police power to protect people. And we have the authority to do it. We can't aim at a specific product, but you define it in such a way that it's OK. It has certain characteristics and it does certain things.

It's a fascinating field, that whole field of constitutional law. In the early days of labor legislation under Roosevelt, that was used a lot by the opponents. You have, well, wages and hours,

governing an eight-hour day. That was one of the attacks on that. You said, "Well, I have a factory in California that receives raw materials from South Dakota. That's shipped to California, and we use that to build things. And it's all part of the stream of commerce. You can't hamper the flow of this stuff by making the cost so high through a forty-hour week, which requires us to hire more men at the manufacturing end, than if we had a fifty-hour week. Therefore you're interfering with interstate commerce." I remember the prof asked us one day, "Do you think that's a valid argument?"

Well, it sounds reasonable. OK. Let's take somebody else that works in that plant. What about the janitor? He has nothing to do with production. If the janitor has a claim, the question is he. . . . He's at the end of the line on interstate commerce. Does that conflict with the commerce clause? Well, we don't know. That's where all these questions are decided, really on the subtle distinction of the facts. One set of facts for another.

MORRIS: They can be argued with equal vehemence from both sides. It makes it difficult when you see a clear path and you want to pursue what you think.

To what extent were people watching the Bay Conservation

and Development Commission legislation as a kind of test case of intergovernmental cooperation?

PETRIS: Well, that was. . . . I don't know about outsiders, but we inside the legislature were very concerned about that. That's why ABAG was so much involved. ABAG wanted to be the agency through which these regional problems were handled.

MORRIS: But that's a nongovernmental organization.

PETRIS: It is, but it's made up of governments. It's the Association of Bay Area Governments. It's a private group composed of public officials elected. They have elected representatives from every county and city in the Bay Area. So they consider themselves public people. They're public officials serving on a board that extends beyond the jurisdiction of their own individual city or county.

That was at the heart of the arguments that ABAG had to resist this legislation. So the role and the impact on intercity relations or city-state, city-county, that all played a big role in this. That's why the makeup of the commission was changed quite a few times. It started out a little narrower than it finally ended up. We finally ended up with: We had elected officials from every county; we had some city people elected; then we had state people

serving by virtue of the position that they occupied. The natural resources director had a seat on that. We had federal people who were welcome to come in. The army was represented on it--the Defense Department, I should say. Army Corps of Engineers, primarily. They had some role in it. We tried to cover all these interests and show that even though it was a mandate from the state that you're going to monitor that Bay and not permit this destruction, you're the ones that are going to be doing it. And it also had a certain number of private citizens who didn't come as a representative of anybody. So we had a very good mixture there. Very wide representation.

But to take the edge off of the ABAG attack that this was a state mandate and we're taking it away from local government entirely and dictating what should be done, we've put a lot of government people on there. Locally elected officials. The original number was twenty-seven or twenty-nine, total. I don't remember now the proportions, but we had Fish & Game always represented. We had Resources represented. I think Department of Finance was represented. Representing the governor, I guess. I don't remember how many others. There are certain state positions that were automatically . . .

MORRIS: Ex officio.

PETRIS: Ex officio, yes.

MORRIS: Was that a manageable number in terms of getting a vote on things that needed to be voted on?

PETRIS: Yes, it was fine, especially in the beginning. There was a lot of enthusiasm for it. Those who were strongly in favor of protection would be sure to be there, and those who were against it wanted to be there to prevent them from pulling a fast one on them. So I guess that later on the attendance kind of dropped off, but it was very high for quite a while. And we also provided for proxies. If the mayor couldn't make it, he would appoint a member of the city council to take his place and vote for him. That was provided for. We anticipated people that busy wouldn't always be able to attend. So to enable an agency to operate with some flexibility, we permitted the proxy thing.

MORRIS: I understand that the legislation included the Metropolitan Transportation Commission [MTC] as coming under BCDC.

PETRIS: You know, I think you're right. I didn't remember. I think you're right. Yes, because they certainly had a big. . . . I think Caltrans [California Department of Transportation] is on it too. I remember one time, they wanted to run a freeway from China Basin

somewhere, offshore clear down to San Jose. God, we fought like hell of a . . . Just fought like everything against that. It never materialized. They wanted to go offshore a few yards, and run this freeway all the way down the coast. And Caltrans was the one that was pushing it.

MORRIS: I believe I've heard the same ideas raised recently for how to deal with traffic along the Eastshore [Freeway].

PETRIS: On [Interstate] 80.

MORRIS: Right.

PETRIS: I haven't heard that, but I'm not surprised. They're talking now about widening the Eastshore, and Berkeley's strongly opposed to it.

MORRIS: There's no place to widen it . . .

PETRIS: No place to widen it.

MORRIS: [Laughter] If you go up in the air.

PETRIS: Got to go up.

MORRIS: But MTC never did actually come under the control of BCDC?

PETRIS: I don't think so.

MORRIS: How did they manage to stay out if it was written into the legislation?

PETRIS: You got me there; I'd have to look it up.

MORRIS: Nobody really cared, so they never appointed . . .

PETRIS: Well, no, if MTC. . . . If we wrote in the legislation that MTC had this--was included and had a representative, then they sent somebody, I'm sure. Must have been somebody on it from MTC because transportation was a vital part of this whole thing.

MORRIS: Right. But the way I read it, it was that MTC was subject to the rulings of . . .

PETRIS: Oh, yes. Yes. Oh, yes, that's clear. We had a lot of jurisdiction saying, "Well, we're not affected. You can't include us," for whatever reason. Whenever that came up, we included them.  
[Laughter] I don't think we left anybody out.

MORRIS: It's like the question about when somebody passes a local ordinance, that you will do this or that about fire safety, for instance. State agencies usually don't comply, and say, "We don't come under local regulations."

PETRIS: Yes, I know. But that's going up, see.

MORRIS: Right. I see . . .

PETRIS: But when you're up at the top, when you come down you embrace everybody.

MORRIS: I see. And you can't wiggle out from under it by saying, "It's not my . . . "



PETRIS: The smaller jurisdiction can't incorporate the larger and make it binding, but the opposite is not true in that. And there's another reason constitutionally. Unlike the nation, which is a creature of the states--of the colonies, at the time--the cities are creatures of the state. The city can't exist without being created by a charter approved by the state. Or the general law cities, as they call them. They're all under state jurisdiction. So the state makes laws binding them, but they can't make laws binding the state.

MORRIS: But they can appeal to the state for equity and attention to our concerns, or whatever the case may be.

PETRIS: And they usually get what they want.

MORRIS: I came across a reference to the fact that public access was not a particular concern of the original study commission, but that that was added in 1969 when you and John Knox worked on the legislation for the permanent commission.

PETRIS: What . . .

MORRIS: Public access . . .

PETRIS: To the Bay?

MORRIS: Yes.

PETRIS: Oh, that was a big issue, but I don't remember at which stage it really flowered. Because I remember many of the arguments. I

talked to many groups at that time, to get support for the legislation. Again, I don't remember whether it was early on or later, but over and over and over again, I told them that we have whatever it was--180 or 280 miles of shoreline around the Bay--and there's only 5 percent of it available where a citizen can go down there and dip his toe into the water. It's outrageous. We ought to open up as much of that as possible. That was one of the big arguments to support the legislation. It wasn't until two years ago that we finally got a bill that provides for a pathway all the way around the Bay. [Senator William] Bill Lockyer carried that. It's a marvelous bill and something I wish I had done a year after we passed the first one.

MORRIS: That was 1987? That that bill . . .

PETRIS: I think so.

MORRIS: Well, that's only twenty years. [Laughter]

PETRIS: It should have been done the second year. Give them a chance to breathe and then expand it.

MORRIS: Did you think it was going to take as long as it did to get from the time that you introduced the first bill?

PETRIS: Oh, yes. I wasn't. . . . I was pretty realistic, and I knew that there would be tremendous opposition.

MORRIS: Was your bill identical to John Knox's?

PETRIS: I think so. I'm not sure.

MORRIS: You wrote them together, or your staff people worked on them?

PETRIS: I think so. But of course, as mine moved along, changes were made and then it got killed. And John was keeping in touch. We had frequent huddles. He had amendments ready.

[End Tape 9, Side B]

[Begin Tape 10, Side A]

MORRIS: You were saying that a bill like BCDC never gets through without amendments?

PETRIS: That's right. I mean, any major bill on breaking new ground, especially, just gets a tremendous number of amendments. Both in committee and on the floor.

MORRIS: How many of them turn out to be things you think are a good idea?

PETRIS: I don't know the proportion or the relation, but there are a lot of them like that. Some maybe that we didn't want to risk early on. We wanted to wait--a matter of tactics, timing--until the idea becomes more and more palatable. Then you drop in your amendment. Some come from the opposition, which are very good. Some come because your bill was in grave jeopardy. If you

don't take those amendments, you may lose it. Some of them are compromises with the opposition.

I know the tidelands [zone conservation] thing, we had a terrible time with. . . . How do you describe mean? I used to know those technical terms for mean, tide, and the difference between mean and high and whatever. We wrestled on that back and forth because it meant a substantial no-man's land in between. The range between the high and the low was pretty great, and that helped determine the line of jurisdiction.

MORRIS: Is this on the [California] Coastal Commission or is this on the oil reserves?

PETRIS: No, it's both. We had it on BCDC and later we had it on the Coastal Commission, too.

MORRIS: Is that also a question when it comes to tidelands oil, that the state gets some revenues from it?

PETRIS: Yes, I think so. I think so. I'm not sure of that. But it certainly was a question in the Bay thing, and it was a question later in the commission. In the Bay thing, we wanted to go fifty or a hundred yards offshore. I don't remember where we finally ended up.

MORRIS: You ended up less than you wanted to.

PETRIS: Yes, I'm sure of that. But I don't know how much it was.

MORRIS: What I came across was concerned about how far inland you had control, and it ended up BCDC had control a hundred yards inland. I was wondering how come that was cut down to that quantity when three years later when the Coastal Commission is coming to pass, that ended up as a thousand foot inland.

PETRIS: There was a tremendous increase in public awareness and the perception about the importance of it. We started out. . . . The public, you know, they had to be galvanized. Once we carried the message and they realized the importance of it, they really jumped in. But prior to that. . . . You know, fighting for control of the environment was not popular at all in those days. That was the original, basic, environmental protection statute.

MORRIS: BCDC.

PETRIS: Yes. Prior to that, I remember describing all the debates trying to overcome the opposition. You're talking about one of the great natural resources in the whole world. And it's the jewel not only of California, but of the whole nation, and we have a duty to protect it for future generations. People weren't talking that way in those days. There weren't any prior fights on any specific area to create statutory protection. Of course the fight. . . .

The reason that we carried, we had the Coastal Commission

initiative,<sup>1</sup> we had tried for three or four years to get a statute out, and it got clobbered by the same people who opposed the Bay fill bill. Same types, I mean. Big builders and so forth. Finally there were three or four of us--I think [Senator Anthony] Tony Bielsenson was one of them, and I think his successor, [Senator Alan] Sieroty, who was then in the assembly. A handful got together and said, "Well, let's go with the petition. Let's go with the initiative." And it passed with a very good vote.

I think that the fight over the Bay fill had a lot to do with alerting the public to the problem so that when we presented the same issue on a statewide coastal basis, at least up north they thought it was a great idea.

MORRIS: Was it the same coalition of citizen organizations on the Coastal Commission?

PETRIS: It was much larger. Much expanded.

MORRIS: Was [Senator] Peter Behr one of the people that was part of that?

PETRIS: Yes, he was very active in that. Sure. He was on the commission as a city councilman, or something. Or supervisor. I think he was a supervisor, in Marin.

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<sup>1</sup>Proposition 20 (November 1972).

MORRIS: I see. And then he came into the legislature after . . .

PETRIS: Yes. Because when I first met him, it was through BCDC activities. I used to go to a lot of those meetings, just to see how they were doing.

MORRIS: To the commission meetings.

PETRIS: Yes.

MORRIS: Did you?

PETRIS: Yes. He became my seatmate when he came to the senate. We were very close.

MORRIS: How does that. . . . How is it decided who's your seatmate in the senate?

PETRIS: Well, when he came in. . . . It depends on the number coming in. I was already there for quite a while, and my seatmate had been Lewis Sherman. What'd he do? Went on the bench. I forget who was there beforehand. It may have been at a time when there was only one opening, and that's it. "This is an open seat, we'll assign you to that."

MORRIS: So a newcomer comes into a seat that's vacant; he doesn't go to the back of the room.

PETRIS: No. Not necessarily. The arena is so small, it doesn't matter that much. Now they do reserve certain seats, like traditionally, the

Republican leader sits in the first row. I've always sat in the back. In the assembly I always sat in the back, and I was very upset when they moved me from the last row. I like to be near the exit. [Laughter]

When I was chairman of an important committee in the assembly, they moved me to the front row. I resisted it and said I didn't want to. They said, "Well, it's important that you be there because the floor leader's there, and the majority leader's there, and you're going to be speaking on a lot of important tax bills that you'll be carrying. You're better seen up front, you're right in front," and so forth.

So I said OK, but I prefer to be in the back row. That's where I sit in the senate, always have been. I've been moved from the seat I got the first time around. Then the old-timers stuck me in the back, and I'm still there. [Laughter]

MORRIS: So in the beginning they put you there because you were the new boy.

PETRIS: Yes, right. Well, I don't know. There were so many new, the news outnumbered the olds. We had twenty-three, I think. So we had a majority. But we were new, and we didn't want to come in there like a bull in a china shop, so we pretty much acceded to the



way they ran things, although we made a lot of changes later. So they put me there; I said fine. That was the end of it. I don't remember now who my first seatmate was. Isn't that terrible? Well, anyway.

MORRIS: But you do remember that you and Peter Behr were good seatmates?

PETRIS: Oh, yes, absolutely.

MORRIS: So that sounds as if you shared the same ideas and approach to government?

PETRIS: Yes, not only on environmental, but on many things. He did good work when he was there, in a lot of areas. Now, some people like to have the parties sitting in a bloc.

MORRIS: On either side of the aisle.

PETRIS: Yes. So they were trying to accomplish that, and several times the Democrats asked me to move, make way for a Republican and move over to the Democratic side. I refused. So for a long time I sat surrounded by Republicans. I had them in front of me--they're still in front of me. But they're. . . . My seatmate now is a Democrat, [Senator] Art Torres, and to my immediate right is a Democrat, [Senator Robert] Bob Presley. But everybody else in that area is a Republican, on that whole left side. As you face the

front, the left side is Republican and the right side is Democrat.

MORRIS: Do you overhear Republican strategy being plotted?

PETRIS: No, not much. No, they're very careful about that.

MORRIS: Well, that's what they've got the Republican Caucus for, don't they?

PETRIS: Yes, they go out and meet in private. We do, too. They don't talk much strategy there. About the only thing I hear is one of their leaders whispering or shouting to the other, "Hey, that's a bad vote! You can't vote for this! You voted non-committee." So the guy goes, "Oh, yes, let me check it." So he checks it and he switches his vote. Things like that, I hear all the time. But I don't hear any plotting. [Laughter]

MORRIS: Do individual legislators keep a notebook of what they said they'd vote on this and that?

PETRIS: No, I don't think so. Very few, in fact.

MORRIS: But counting votes is supposed to be one of the great skills of legislative activities.

PETRIS: That's right.

MORRIS: So who are the people who count the votes?

PETRIS: The authors.

MORRIS: The authors.

PETRIS: Oh, when it's a big issue, then the leadership gets into it, too. But normally, each author is left to his own devices to get the votes. It's not all that easy. You have to know how to measure a guy and what his commitment really means, and you have to be sure you're both talking on the same wavelength. There've been some disappointed people who thought they had the votes; it turned out they didn't.

MORRIS: There's no way to guarantee that somebody is going to do what he or she said they were going to?

PETRIS: No, there isn't. Most of the time, when a member says, "I'm going to vote for your bill," they vote for it. But some of them are so tough, and there's so much heat and pressure . . .

MORRIS: On the bills.

PETRIS: . . . that there are a lot of ifs and buts--yes, on the bills--that the answer is, "Yes, I told you I would vote for it if--and you forgot the if. You didn't get so-and-so. And so-and-so." And, "I'm not going to be out there all by myself. We come from the same county, and it's a very conservative county. I'm not going to be the only guy voting for this bill which my county thinks is a little too liberal." If you got those two votes, there wouldn't be any problem, because then all three would be voting the same way.

Things like that.

MORRIS: And we're all in the same general part of the state. Do you have to do that all yourself, or can you share it out with your. . . . Put your staff person on . . .

PETRIS: Oh, you can get anybody you want to help you on it. You can get staff to try to help, you can get other members. You can get the chairman of the committee, if the chairman of the committee is strong for your bill. He's probably helped you in committee, and he'll do some work on the floor, might speak on it. You can get the lobbyist. Let's say it's a bill that the city of Oakland is deeply concerned about. Really wants it or opposes it. Then you call on the Oakland lobbyist to work on it. They stand outside there, at the entrance to the place, and they call out people and ask them.

MORRIS: Do legislators generally come when a lobbyist sends in a call and says they'd like to talk to them?

PETRIS: Depends on the time of year. In the latter part, it's very tough, because they're jammed out there. I often say, "No, I can't come out. I've got a bill coming up and I have to watch it. Send me a note." The reason being, you go out there to see one lobbyist, and about ten of them jump you.

MORRIS: It's crowded in the hall there.

PETRIS: It's crowded there, and you miss votes while they're talking to you. I don't like to ignore them, because they have a job to do and they're usually very helpful. You can rely on them. They don't try to deceive you. They know that if they deceive you, they're going to be in trouble. So in the earlier part of the session when the traffic isn't so heavy, if I get a note from a lobbyist, no matter who it is, if he wants to see me about a bill, I go out there. I try to do it every time. But there are many times when the heavy traffic is on and I've got bills up. I'm carrying bills for the legislature on the other side, in the assembly, and they're counting on me to take up the bill, you know; I can't go out there. Now, if I knew that it was going to be a two-minute thing and I can get back, fine. But it never works that way when it's the heavy part of the season.

MORRIS: No lobbyist ever has one thing he wants to talk to you about?

PETRIS: Well, no, he may just have one, but there are others. "Oh, I've got to see you! Senator, let me talk to you." One after the other. It's hard to do.

MORRIS: On the things that Oakland is really interested in, I noticed that you put in a complaint about the Port of Oakland. You objected to their filling plans. This again is back in the BCDC negotiating

days.

PETRIS: Yes. I did support them in one big project--lengthening the runway of the airport, so they could bring in bigger airplanes. I got a lot of criticism from environmentalists on that. I said, "Well, I didn't hear you complain when San Francisco did it. Now you're complaining, and it's not fair to the city where I live and I was born." If they need more room to bring in the bigger airplanes, I'm for it. It's a good cause; it's commerce, and it's. . . . So on and so on and so forth.

But I have complained on other projects at the port, yes. I've opposed them on some of their projects.

MORRIS: Am I right that the Port of Oakland has its own lobbyists, and the city of Oakland has a separate one?

PETRIS: That's right. Yes.

MORRIS: They're not within the same jurisdiction?

PETRIS: Well, they are, but the problems of the port. . . . They're independent of the city. The mayor appoints them, but they have their own independent staff, their own budget. The city actually doesn't have control over their spending or any other policies. All they can do is lean on them and try to persuade them, but they're an independent group. Under the council. The council can't run

them, keep control. So they often had conflicts. That's why they need separate lobbyists. The one who represents them right now used to represent the city. She's a crackerjack; she's one of the best up there.

This past two years they've had nothing but problems, the Port of Oakland. They've had problems with trying to dredge to make room for the bigger ships. They're going to lose a lot of business if they don't dredge the channel there. You've got environmentalists opposed not to the dredging, but where they're going to dump the stuff. When they had this agreement to dump it out near the Farallones, the fishermen from Monterey complained like crazy. They had a big fight over that. Not Monterey, right off of San Mateo.

MORRIS: Right. Right across the Bay.

PETRIS: Quentin Kopp put in a bill to stop it. We had some big fights on that.

MORRIS: In an argument like that, are you a facilitator, or are you expected to support Oakland's interests?

PETRIS: Well, I'm generally expected to support Oakland's interests. Sometimes the best way to do it is by being a facilitator, trying to break the impasse. I'm usually an advocate. We've had a lot of

fight in trying to help Oakland. That's one area. And when I talk about the port, I consider that it's in the interest of Oakland to have that port operating efficiently and profitably, and if it means trying to get all the right permits to get the dredging done against the opposition, then it means I'm fighting like everything for that.

I had a big fight on the [then Oakland] Raiders problem, when the Raiders wanted to leave. I mean, the southern. . . . The L.A. delegation was amending bills all over the place to prohibit the city from condemning a professional sports activity.

MORRIS: That turned up in the legislature, too?

PETRIS: Oh, yes. A big fight in the legislature, yes. I was lucky; I managed for a couple of years to block every bill that came down the pike. It was very difficult. We got help from others in southern California who weren't particularly fond of L.A. [Laughter] San Bernardino, Riverside, San Diego--they all joined in. They were happy to dump L.A. And of course the north was all in favor of my position, so we did pretty well on those. In the long run, we lost out in the courts anyway. Remember Oakland wanted to condemn . . .

MORRIS: Right. Eminent domain.



PETRIS: The business, yes, by way of eminent domain. Everybody else thought that was an absolutely ridiculous notion. Well, I'd done some research on that as a lawyer, and I found that Oakland's position was very sound. Very sound. I read some of the decisions on that question. The opera house in San Francisco [War Memorial Opera House] was built with public funds following a condemnation of property. Now, that's a form of entertainment. People like to go to the opera. But who goes to the opera? It's usually the elite. The guy who goes to the football game is a beer-drinker. Or baseball.

MORRIS: He votes, however.

PETRIS: He votes. The question is, well, if you can do it for an opera, why can't you do it for professional football?

MORRIS: Except one is a building and another is a group of big, husky football players.

PETRIS: Yes, and it's a separate kind of business. The principle is, I don't remember what they condemned, but it was a building or it had a going business on the property, to do the opera house.

MORRIS: Right. But you think of eminent domain as having to do with things that stay put, like buildings and land. A football team . . .

PETRIS: It's a franchise. A business.

MORRIS: Yes, and it involves human beings rather than . . .

PETRIS: But the precedent for that went way back to the early 1800s.

MORRIS: Really?

PETRIS: Oh, yes. It was a very clear case in the law. I thought we had a good case, but they screwed it up in other ways. Some procedural matters, actually, in the court. The first case in the federal jurisdiction involved a laundry route in Washington, D.C., I believe it was. The federal government condemned the laundry route.

MORRIS: OK.

PETRIS: And that was upheld. Now, some people say the federal government has no right of condemnation. They did it in that case, and it was upheld.

MORRIS: They were acting as the District of Columbia government?

PETRIS: I guess so. I don't know how it worked, but the point is, it was the same kind of business. It had the mobility, it had a route, it had, you know. And that was upheld. They said that a local jurisdiction could do this. A public agency could do this. Well, if they could do that, they could certainly do it for a football team.

MORRIS: There's some talk that they may go to Sacramento. Is that something that entertains the . . .

PETRIS: Oh, yes, Sacramento's trying very hard to get them. I hope

Sacramento gets them. I'm still so upset at [Allen] Al Davis for leaving us in the lurch the way he did. I'm not one of those fans clamoring to get the Raiders back here. Especially to have us pay fifty-two million dollars for the privilege of having them come back, not counting all the other costs.

MORRIS: That seems rather a staggering sum of money.

PETRIS: I think it's going to get up to a hundred before it's over.

MORRIS: Can Sacramento afford that kind of money?

PETRIS: Yes, yes, they're offering it. Not offering a hundred yet, but they will.

MORRIS: Well, they've got their new football stadium in the works.

PETRIS: Yes, it's under construction. We went through that before, you know. We built the stadium for the Raiders, and we pledged the public debt and did everything we could to accommodate him. When he wanted more, he got up and left. So I say he's welcome to go to Sacramento.

MORRIS: Besides, Oakland has the A's [Oakland Athletics baseball team].

PETRIS: Right.

MORRIS: I understand that Caltrans is going to decorate the bridge for the World Series? Half of it is going to be done in A's color, and half of it's going to be done in Giants' color?

PETRIS: I hadn't heard that. Yes. Looks great.

MORRIS: I think it's a great idea.

PETRIS: That will attract the attention of the whole country.

MORRIS: I was wondering who in the Department of Transportation had that marvelous idea and how he got it moving overnight.

PETRIS: Yes, that's marvelous. Probably somebody who lives in the Bay Area. Somebody out of the San Francisco office. Or maybe it came from private citizens.

MORRIS: I don't know.

PETRIS: A lot of the best ideas we get for legislation come from the citizens.

MORRIS: Does it really?

PETRIS: Oh, yes. Well, BCDC--three women.

MORRIS: Yes. Do you want to stop here?

PETRIS: No, I can go a little more. A little closer to five.

MORRIS: OK, because once we got up into the '70s, I wondered about the differences in dealing with the governor's office when Reagan was governor, and then when Jerry Brown came into office. [Buzzer sounds]

PETRIS: I was wondering, you called in and indicated the subjects you were going to cover.

MORRIS: Right.

PETRIS: I didn't take the time, unfortunately--I was gone, for one thing--to try to look up some files and refresh my recollection. I think it would probably be more helpful to you if I had done that. Like I didn't remember which year I put in the first bill. You said '61, or in '61 the ladies came to see me. I thought it was more like '64, see? And I'm happy that you're doing that research, and keeping me more accurate.

MORRIS: Well, that's part of my job.

PETRIS: But it's embarrassing to me not to know more accurately things like dates and some individuals. Now, a lot of those files are gone, but if I could have taken the time to pull out some of those files and just look them over, I'd probably be a lot more accurate in giving you the information.

MORRIS: I appreciate that. I hate to ask it of you, though, when you've got today's bills.

PETRIS: I know, but the session's over, and I don't even know where they are. We have our storage downstairs in the basement. We can probably dig some of those up. On a question like dealing with the governor, that's easy. That's not a matter of my own notes or my own files. And I've never kept a journal. I guess I should

have kept a daily journal in the legislature; would have been very revealing. [Laughter]

MORRIS: It would be absolutely magnificent, yes.

PETRIS: Probably a gold mine, yes. I never did it. Never had the urge, either.

MORRIS: Well, you have enough other things to deal with.

PETRIS: Some people manage to do it. I have a very dear friend who's a professor of history. I've travelled with him, and he told me years ago, he said, "You have such a wonderful opportunity every day to meet fascinating people in connection with your work. You ought to keep a journal." He says, "I do it; I'm not even a politician, I'm just a teacher." I said, "Well, when do you have time?" He says, "I get up every morning real early. Six o'clock, I'm writing." I said, "You'll never get me to do that. I go to bed between one and two o'clock every morning; I'm not about to get up at six."

MORRIS: Oh, my goodness.

PETRIS: I usually make it by seven, but six is. . . . Well, to start writing at six, you've got to get up at five. But anyway, he says, "Well, you're doing yourself a great disservice. You're making a contribution, and there's a lot of people that would be interested later on, beginning with the Hellenic community itself, to a range

of others associated with the ideas and the issues that you've been pursuing. It isn't only the statutes and the legislation; it's interesting people that you meet along the way and experiences you've had." So, often I've thought about what he said, and then look back with regret. The only time I've made notes is when I take a trip abroad, and this time I didn't do it at all.

MORRIS: On what you see when you're traveling?

PETRIS: Yes. People I meet, and things that I see, and impressions I have. Conferences, meetings, stuff like that, but anyway, it's too late to start now.

MORRIS: Doing an oral history is in a way kind of . . .

PETRIS: Making up for it.

MORRIS: Making up for it. We can't catch you day by day, but we certainly can take you back through the issues. Considering it's twenty years, I think you have a very good recall of who the people were on . . .

PETRIS: Better than I thought, but it's not good enough. Not complete. You remind me of a lot of things that I hadn't thought about.

MORRIS: Well, when you get the transcript, you may . . .

PETRIS: If you were the DA, I'd be in big trouble, because you remind me of things that I've forgotten, and you could say, "Well, why didn't

you tell me about this? What are you concealing?" [Laughter]

MORRIS: I've always wondered how people manage to give such hour-by-hour depositions of this, that, and the other thing, particularly when they are testifying at a trial that is six years after the event. Knowing human memory, I question that.

PETRIS: I've wrestled with that myself, and I always tell clients in preparing them for a deposition, "Don't be afraid to admit you don't remember. That's not a crime. It's better to tell them you don't remember than to take a stab at it and come out absolutely wrong, because somewhere along the line, the correct facts are going to surface." If they see a witness that answers every single question instantly and comprehensively, and knows times and dates and places, they're going to be very suspicious. Nobody remembers things that well.

MORRIS: Is the thought that then possibly the witness has been coached by an attorney from a script?

PETRIS: Yes, been coached or has written down the script and memorized it. If you get. . . . Human beings being what we are, if you get a person and run through a bunch of questions, and come back ten days later with the same questions, the answers are going to vary. I don't mean on the ten-day episode, but whatever episode you're



describing a year or two behind. The answers are going to vary.

MORRIS: It's amazing, the core of consistency there is in them.

PETRIS: The basic thing, yes.

MORRIS: As you say, they may remember another detail when they tell it a week later.

PETRIS: Yes. They'll come up with a new name, they'll come up with a correct spelling, they'll come up. . . . Variations on the details.

MORRIS: That reminds me of one more question on the Bay conservation. There was another innovation; some of those hearings were held on television--KQED televised some of those.

PETRIS: The study? Or the legislature?

MORRIS: Some of the legislative hearings on . . .

PETRIS: I don't remember that at all.

MORRIS: OK, I would have thought that might have made an impression.

PETRIS: It might have at the time, but frankly, I don't remember that at all at the present time.

Those were great days. People ask me, "You look back on all those years you've been in; what do you think are some of the better things you've handled?" I always include the BCDC. I just think it was a real major victory. It not only turned the tide in saving the Bay itself, which is a specific entity we're trying to

protect, but I think it did a lot to raise the consciousness. The consciousness level of people about the environment as a whole. Because immediately after that, I got into the air pollution fights with the automobile industry. Boy, those were heavy. [Whistles] For several years, and I had a flood of bills on that. I think that the reaction of the public was, in the beginning I had a lot of criticism, but I think identifying me with the Save-the-Bay fight helped them understand what I was trying to do on air pollution, even though it's . . .

MORRIS: Because they'd heard you?

PETRIS: Yes, right. And they knew the story, and there was immense support once the word got out, you know. As I indicated, in the citizens' groups there was tremendous support for saving the Bay. And it came from all different. . . . It came from fishermen, it came from yachtsmen, it came from people who live on the hill and want to see the Bay. It came from people who used to fish as kids on the Bay, and it came from people who wanted to clean up the Bay--that was part of our effort, too.

MORRIS: Birdwatchers.

PETRIS: And birdwatchers. Just a whole range of people.

MORRIS: Was it harder to do once you got into the Reagan administration?

Did you . . .

PETRIS: Oh, yes, all the environmental stuff was much harder under Reagan. Legislative effort was just as strong, but under Reagan, God, he was terrible on the environment. He was really bad. He . . . . That's why, when he made those appointments, I think he thought it was going to go the other way. Overall, he's not good at all on the environment, and Deukmejian's probably worse. Take the Coastal Commission . . .

[End Tape 10, Side A]

[Begin Tape 10, Side B]

PETRIS: . . . the act of the attorney general. There were four or five lawyers in that office. [Attorney General] Deukmejian did his best to close the office.

MORRIS: As attorney general?

PETRIS: As attorney general. I don't know that he fired them; he probably moved them to some other office, other duties. But he didn't want them screwing around with the businesspeople who wanted to build and develop the shoreline. Let the commission worry about it, but you don't enforce it. I mean, that's a terrible thing to do--the attorney general specifically charged by law on the vote of the people. Statewide vote, with a very good margin. He pulled the

fangs on the enforcement. Well, he got a lot tougher on environmental things.

MORRIS: There was a point in there when the legislature passed a bill requiring the government to set up a--prepare a state environmental plan? Was that something you were involved in?

PETRIS: No, I wasn't part of that. I wasn't an author on that legislation. I support it very strongly.

MORRIS: [Resources Agency Administrator] Norman Livermore--Ike--was Reagan's Resources secretary?

PETRIS: Yes. Actually, he was pretty good. He came from a distinguished family that had credentials in that area, and he tried to do what he could, but his boss just wouldn't stand for a lot of things he wanted to do.

MORRIS: What about when Jerry Brown came into office? Did the climate change in terms of . . .

PETRIS: Oh, it changed very appreciably in terms of the environment, yes. In fact, some of his appointments came under very severe attack by the others because of their reputation in the environmental field. Even a guy like [University of California] regent of the university Professor Gregory--what was his name? Bates?  
[Bateson]

MORRIS: The anthropologist.

PETRIS: Anthropologist. A renowned environmentalist. They made fun of him and repudiated him and criticized him. He just died recently. I thought he was a marvelous man. Of course we approved him, both on the floor and in the Rules Committee.

MORRIS: Does the Rules Committee approve appointments to the regents?

PETRIS: Yes, they go to the Rules Committee. We got in some big fights in there, too.

MORRIS: On regents?

PETRIS: Oh, yes. Several of Brown's nominees came under fire. He was one of them. Another one was the economist who lives down in Santa Barbara. God almighty, I've known him for years and he's been a good friend.

MORRIS: You've caught me with my research not on my fingertips.

PETRIS: Not Santa Barbara. He lives in L.A. He lives in L.A., but he was part of the [Robert] Hutchins group for a while, the Democratic study center there. What was it called?

MORRIS: Oh, the Center for the Study of Democratic Institutions, the one that Hutchins started.

PETRIS: Yes. I'll think of his name. Anyway, he was a good friend of the governor. And the right wing really went after him, tried to

defeat him in committee. I led the fight in his support. We made it, and he was approved. And he was a good regent.

MORRIS: Do those votes go from the Rules Committee to the floor in the senate?

PETRIS: To the floor.

MORRIS: Are your Rules Committee votes ever overturned?

PETRIS: Not very often. On those things, no. Very, very seldom. In fact, I don't remember ever being overturned, to tell you the truth. One exception was Jane Fonda, the arts commission [California Arts Council]. The Vietnam war hawks turned on her because of the Vietnam activities, and they reversed it. They blocked her reappointment, I guess it was. She served for a while, I think. Then they blocked it.

MORRIS: Were the appointments that caused so much discussion that different from appointments made by other governors?

PETRIS: Some of them were, yes. Some of them were considered pretty far out. They weren't mainstream, they thought. Some of them were considered weird by the right wing. From the standpoint of competence, I thought they were terrific. The worst appointments were made by Reagan and Deukmejian. Now, part of that is a partisan view, but boy, they brought in some really bad people.

Never should have been even considered for appointment.

They put us in a difficult spot because the theory is that the governor is entitled to pick his own people through his own philosophy, to carry out his program which the public has approved. So we're not supposed to buck them on philosophy. We're supposed to. . . . We're entitled to attack them on their competence, whether they're really qualified. Maybe they're being put into the field in which they have no experience whatsoever and therefore can't really do the job, and it's too critical a subject to have them take on the job training [Laughter] at that level. [Laughter] Or there might be some horrible thing in their background that would cripple their ability to really do a good job.

Now, we've mounted a lot of attacks on Deukmejian's appointments in the first two years. The way it evolved, I became the point man in the committee to do the grilling. Roberti felt that shouldn't be his role as the chairman of the committee and president pro tem of the senate. I was always the very tough prosecutor type that worked over these guys. And I'm still doing it. Some of them have criticized me, but not very many. Only one or two. And I have to point out to them that the biggest fight I ever had was on the Jerry Brown appointment that I managed to

PETRIS: block.

MORRIS: Was that the [Raymond] Ray Procunier one, for director of the Department of Corrections?

PETRIS: Yes, Procunier. That went about three weeks, I think.

MORRIS: Really?

PETRIS: Oh, yes. I subpoenaed witnesses and I really fought against that. Now, the question is, well, what about--is that on the basis of competence? No, he's a very competent guy. A pretty good administrator. But he had this terrible arrogance and this attitude that the legislature had no business messing around with his shop, if he was going to run the prisons. In this case he'd been the acting director of Corrections for some time, and he was not going to be put out as head of the parole board. He would brook no inquiry or interference from the legislature. Well, he had his head on wrong on that one. I mean, the whole executive branch is subject to monitoring by the legislature.

MORRIS: That's something you have to keep reminding them, isn't it?

PETRIS: Yes, oh, absolutely. All the time. But he had made certain statements in open court castigating the legislature for interfering with his business. He denied making them, and I produced a transcript at the following hearing, word for word.



MORRIS: Really?

PETRIS: Yes, I gave it to him. I said, "Read that." You know, where you do in court. That was a heck of a battle. But anyway, I didn't mean to go into all that detail, but the point is, some of the critics accused me of being too tough on Republican governors' nominees. And I said, "Well, first of all, you guys blindly accept everything, which I think is a bad way to do business in the government, no matter who it is. Because it's your governor's guy, you accept him blindly. And even though you know that the guy isn't fit to serve, you go along. You ought to show some guts and stand up and tell the governor he's wrong. Tell him to withdraw it."

We managed to get him to withdraw a few of them. They were so bad that even the Republican leadership said. . . . You know, I went to them and others and said, "Look, we're trying to save the governor embarrassment. So why don't you tell him that this is the information we have, and it's going to make him look terrible. So why doesn't he quietly withdraw the name and bring us another one? We're not asking you to appoint a Democrat. There's a lot of good Republicans out there. Why does he have to pick this one?" And there's several occasions where he did that. There's many others he stubbornly refused, and we had big fights.

MORRIS: I understood that in the Reagan administration, that his people did very thorough background checks on people before they nominated them. Is that normally the case?

PETRIS: I think they were much better prepared with the information than Deukmejian people were. They picked some bad ones. Much worse. The Reagan battles were probably on philosophy from time to time, but. . . .

And the other thing about Reagan was, he put people in agencies--and I strongly opposed some of them--whose entire lifetime was committed to destroying that agency. I mean, let's say you're a businessman, and you don't believe in the government getting involved in the marketplace by way of consumer protection. Deukmejian did the same thing; he appointed this woman who had been a recent chairman, the state chairman of the chamber of commerce. And the press was loaded with stories of speeches she had made severely condemning the whole notion of a consumer protection role for the state. And now she's the head of all consumer protection.

So, you know, I said to her in committee, I said, "Look, I don't have anything against you; you're entitled to your philosophy, and you do a good job of representing that viewpoint.

But it's not fair to you, with your philosophy that's been clearly expressed time and again, to put you in charge of an agency that you've been attacking all these years. How are you going to carry out the mandate of that agency? It's impossible. It's not in your nature." "Oh, I can handle it." I opposed it, but she was approved.

MORRIS: Do you recall other examples of people Reagan appointed who had been opposed to the agencies they were to head?

PETRIS: Oh, there were several. Now that you ask me, I can't think of any, but probably with a little time, I could come up with it.

The most glaring recent example is the one I gave you. Cheryl or Cheri--what's her name? The head of all the consumer protection.

MORRIS: Shirley Chilton.

PETRIS: Charming, sweet, attractive, bright, but sure as hell not a pro-consumer person. I said, "The governor's putting a square peg in a round hole. It doesn't work."

MORRIS: What about [Department of Insurance Commissioner] Roxani Gillespie? Is she somebody that came to the insurance committee  
...

PETRIS: Yes, oh, yes. She had to be approved. And she had a little

problem because she came out of the industry.

MORRIS: Those are both women, and one of the things that . . .

PETRIS: He made points by appointing a woman, you see, and that kind of disarms us a little. We didn't want to be accused of being anti-feminist.

MORRIS: And Jerry Brown had kind of broken the ice, I would think, in increasing appointment of women and Hispanics and blacks.

PETRIS: He also appointed career people. Like the commissioner of corporations [Department of Corporations] was a young black woman [Geraldine D. Green] who had risen from the ranks, starting as an attorney in the corporation commissioner's office and moving up to certain levels. And then he made her the boss, which I thought was terrific. It filled a woman's spot, a minority, because she was black, and it showed the civil servants that they, too, can run an agency some time. That they're not. . . .

Because civil servants normally feel, "Hell, we never have a chance to rise to the head of the agency because they always bring somebody else from outside." And the tradition had always been the corporations commissioner was a guy who was in private practice, who was tapped by the governor to come in and run that shop. Rarely somebody rising from the ranks. So I thought that

was a very important morale booster to people who worked in that agency--and all other agencies, too, for that matter.

MORRIS: Have you had enough contact with the career civil service to have any views on that subject? Because there's an emerging theory in public administration that the professional career civil service is an equal power center with the executive and the legislature, that they're sort of a fifth branch of government.

PETRIS: Well, we've known that for years. Jesse Unruh was the one who was the most perceptive on that. That's why he enlarged the staff of the assembly tremendously, to be able to match those guys, and brought in people with experience in various fields, and created a research office--Assembly Office of Research--for that purpose. Yes, we've known that all the time. I've known them as an adversary. I accused that same group of "administrative subversion." Kind of a term I've created.

MORRIS: How do you define that?

PETRIS: Well, it's people who are in charge of administering the law, who often oppose a proposed statute. And they lose the fight, but they will not graciously bow out and say, "Well, I lost that fight. This bill has been enacted; now I have to enforce it." Instead of enforcing it, they sabotage it. Throw up all kinds of obstacles to

its proper enforcement. And I call that administrative subversion. It happens frequently.

MORRIS: Really?

PETRIS: Oh, yes. One time in the health area--I've done a lot of work in the health area--there was some issue. I don't remember what it was. It might have been part of the Lanterman-Petris-Short. I'm not sure, but anyway, under the statute, the regulations are supposed to be drafted and presented by the local health directors. And they have a conference of health directors statewide from each county.

This particular statute, they had opposed it very strongly. So they drew up regulations that emasculated the statute. They were that brazen. So I sent word to them, and I said, "If you don't change that in the next day, I'm putting in a bill to wipe out the conference of health directors." I'd never done that before. I used to hear about heavy-handed tactics, and I've never agreed with that. I thought you shouldn't. . . . The most common tactic is, you get in a fight with a bureaucrat or the head of an agency and [buzzer sounds] immediately try to amend the budget to wipe them out. I don't like that . . .

[Interruption]

MORRIS: Subversion?

PETRIS: Yes, the subversion. So, boy, they backed off in a hurry, and I said, "I want you to go back and have your meeting, and do what the statute directs you to do. Otherwise, you're going to lose that function. Now, I can see a difference of interpretation, and we have emphasis on certain things, and I can see there's always areas for disagreement, you know, on what this means and which way to go, but you have drawn up a set of regulations that are directly antithetical to the plain language of the statute. That's clearly an act of defiance of the legislature, and I'm not going to stand for it as the author." And they got busy and they went to work and they came in with a whole new set of regulations.

MORRIS: Because they thought you weren't watching before?

PETRIS: Yes. They were angry and they thought they'd get away with it. So it puts an additional burden on the legislator. Up to that time, I figured I had worked very hard to get this bill enacted. Now it's in place, and it's turned over to some agency to administer or enforce, and I can now walk away from it and go on to something else. Now I have to keep looking over my shoulder to make sure that what we intended is what actually is being done. And this power group that you referred to engages in administrative

subversion time and time again. They consider themselves an entity unto themselves. They have to be watched all the time.

MORRIS: But they also are given to saying, "But our job is to serve the executive branch," and "Yes, we can be loyal to a Republican, and then when a Democrat gets elected, we can be loyal and do things the way . . .

PETRIS: I can understand that, but that loyalty ends when the governor departs from the clear intention of the statute. If you're in charge of public housing, you run that agency whose mandate is clearly to help the poor develop more and more housing. You start shelling out the money to people who live in Piedmont so they can build their homes, you're violating the law. You're not carrying out either the spirit or the letter of the law.

Now, that happened, too. I had to jump on Jerry Brown's housing people. His housing commission. They came in with a regulation after a particularly tough fight with a bill carried by George Zenovich, who had taken over a bill of mine.<sup>1</sup> I stayed on as a co-author, and I was as strongly interested in it. It had certain things to do with the California Housing Finance Agency.

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<sup>1</sup>S.B. 801, 1977 Reg. Sess., Cal. Stat., ch. 926.



At the very first meeting, these guys passed a resolution saying their primary target was going to be the middle-income people. I went storming in there, and I said, "What do you mean, middle-income people? Read the statute! Where do you find that in the statute?" And these guys weren't even bureaucrats. They were a board. They direct the bureaucrats to do what they're supposed to do.

MORRIS: They're the governor's appointees.

PETRIS: Yes. Man, I had a heck of a big battle with them. And these are Democratic appointees, you see? So it's not peculiar to any particular party. [Laughter]

MORRIS: Sounds like you have your hands full as a watchdog.

PETRIS: Yes, that's right. That's right.

MORRIS: Why don't we stop there for today, since there are people waiting to see you.

PETRIS: OK. Thank you very much.

MORRIS: Thank you.

PETRIS: It was good to see you. I'm afraid I run off at the mouth too much.

MORRIS: Well, you're absolutely marvelous.

[Interruption]

PETRIS: You asked about the role that I played in opposing the dictatorship when the colonels took over Greece in 1967: I was very active here in the media: the press and television and every other way. We organized committees and fought to restore democracy in Greece. I went through a lot of interesting adventures in that. The thing that I told him about--I'll tell you in more detail just as a matter of personal interest; it's got nothing to do with the legislature.

One time I went to Europe with a friend of mine who had been an attorney for the U.S. embassy. We had worked together in Athens as attorneys; he went to Yale law school, and then he went to McGill and Nevada, to study air law. He went to three law schools. He was a crackerjack. He married an American girl, and his two children were born in the United States. He spent some time here. So he was able to leave; the agency helped him get out. He was so opposed to that dictatorship that he gave up a very lucrative private practice. Anyway, he came up with a plan for resisting the dictators without putting people in jeopardy. We went to London, Paris, Copenhagen, and Rome to sell this plan to

PETRIS: Greeks in exile, including the king. It's a fascinating story.

MORRIS: I should say so.

[Interruption]

[End Tape 10, Side B]

[Session 6, October 31, 1989]

[Begin Tape 11, Side A]

MORRIS: Did you have much damage from the [October 17, 1989] earthquake?

PETRIS: I think that we lost two or three items. We were lucky. A couple of vases--a Chinese vase and a crystal vase. But none of the old stuff. I've got a thing from the Minoan period of Crete--it's about 1500 B.C.--that was not hurt at all. Didn't come off the shelf. The first thing I looked for was that, when I saw things had fallen on the floor.

MORRIS: Since today is just two weeks after the earthquake, I wondered if we could talk a little bit about your observations of how the state agencies responded to the emergency, and how this worked at the different levels of government.

PETRIS: OK. My first reaction was one of very pleasant surprise. There had been so much written about our state of unpreparedness. I thought they worked very well. I thought that they sprang into action at all levels, particularly the state and the local, as if they

had been well prepared and well trained. I remembered that there had been several exercises over the past two or three years, one of them very recently at the airports. Simulating a disaster.

MORRIS: Oh, really?

PETRIS: Yes. I believe there was one during one of [Vice President J. Danforth] Quayle's recent visits.

MORRIS: Before he came out to inspect the damage.

PETRIS: Yes, before. I was not very optimistic prior to the earthquake about how much we would be ready and how much we would be able to do. I think they've done a very, very good job. I think the state people deserve a lot of credit, because the office has always been undermanned, and it really hasn't had the attention it should receive. In working on rather meager resources, they've done a good job.

MORRIS: This is the Office of Emergency Services?

PETRIS: Yes, right. And the coordination with the local people, with the counties and the cities. Of all of those services where I live, we got the worst of it as far as the--well, not only freeway collapse, but 1500 homes damaged. Some destroyed. I think there's some 1400 or 1500 homeless now, that had to abandon their apartments, their homes. The immediate attention that's required

by emergency services was marvelous. That means police, sheriff's department, fire department, medical people.

I was down at the Cypress;<sup>1</sup> I try to go down there every day and just look. I had a feeling of helplessness; there wasn't much I could do, just to see. I remember the first time I parked my car and I started to walk toward the Cypress Street ramp. I was stopped by a woman who had just gotten out of her car, asking me directions. She was a nurse who lived in Palo Alto, and she heard the appeal on the radio that nurses were needed, and wanted to get to Highland Hospital. I gave her directions; she was way down in West Oakland. That really impressed me. She came from clear over the other side of the Bay, down the bottom of the Peninsula.

MORRIS: This would be Tuesday or Wednesday?

PETRIS: I think it was Wednesday. Might have been as late as Thursday. Probably Wednesday.

MORRIS: You were here in Oakland that day?

PETRIS: Yes, I was here. I was in the elevator of the state building.

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<sup>1</sup>During the 7.1 magnitude earthquake of October 17, upper columns on a 1.25-mile-long section of the Highway 880 Cypress viaduct crumbled, causing the roadway's top deck to collapse, killing forty-two people.

People always dread the notion of being caught in an elevator, and there I was. [Laughter] I was very lucky. We got a rough ride; it jumped up and down and banged against the wall, but it made it to the first floor without any problem. I didn't realize it was an earthquake. They had been doing a lot of work on the elevators, and when they finished they were working beautifully, and everybody was relieved because they just seemed to be so old and decrepit. They were running very smoothly. My reaction was, "Well, I guess they didn't do the job right. Something went wrong." I told the fellow--there were only two of us--I told him, "I think we're in for a rough ride." It wasn't until we got out on the first floor that I realized that the whole building was shaking.

MORRIS: That the building was still swaying.

PETRIS: Oh, yes, it was still shaking, and I saw cracks in it. Of course we realized we had a big problem there.

MORRIS: Was it clear Tuesday evening that the building was going to be unsafe?

PETRIS: Let's see. Yes. Oh, yes, it was clear right away. I don't know whether we got the word Tuesday evening, but people who look into those things were convinced. I think we may have gotten the word before the evening was over, but certainly by Wednesday

morning we were told we're not allowed to go back in there. They permitted us just to go in for a few minutes and pick up some things. But they told us they were going to evacuate the whole building, and the thought was that the building might have to come down, but that hadn't been determined. I guess it still hasn't, but what I hear mostly is, it's going to be corrected.

MORRIS: Were you called on to meet with the mayor and Assemblyman Bates?

PETRIS: No. The only time I received a call was when the governor came back, to meet him at the Naval Air Station in Alameda. There were legislators and local officials there. I met him, and then we had a brief meeting with him to let him know what was happening. The mayor was there. [Assemblyman Elihu] Harris. Senator Bill Campbell was there, who had carried the emergency legislation and authorized the governor to spend money without calling the legislature into session on emergency needs.

Then we made a tour by car. We went to--a whole caravan went to the Cypress site. He spent quite a bit of time there, and you could see he was really shaken by what he saw, deeply moved, and promised to do whatever was needed, and talked in terms of meeting with the legislative leaders to determine if a



special [session] were necessary. I think the only reason it wasn't called immediately was because of the legislation that had already been passed.<sup>1</sup>

MORRIS: When was Mr. Campbell's bill?

PETRIS: Just last year.

MORRIS: Really?

PETRIS: Yes.

MORRIS: Was that as a result of some of the work of the Seismic Safety Commission?

PETRIS: Probably. Campbell heads our disaster committee. I don't remember what it's called. Some kind of committee on emergencies. He's been very active all around the state. Fires, for example. And he's carried legislation to provide more money for emergency use for beefing up the firefighters. Whether it's an earthquake or a flood or a fire, he's right there. He's been on top of things very well. And sure enough, he was there to meet the governor, and he squired the president around. He was with the president. Of course, he also happened to be [President George] Bush's campaign manager.

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<sup>1</sup>S.B. 5 1987-1988 First Ex. Sess., Cal. Stat., ch. 6 (1988).

MORRIS: For California?

PETRIS: For California. So I'm sure he gets aboard whenever the president comes out. But he was highly visible there; I was glad to see that. I'm sure he was urging the president to open up his purse strings.

MORRIS: Was there a big debate about passing that kind of emergency expenditure?

PETRIS: No, I don't think there were a lot of problems. It required a two-thirds vote, but it didn't provide additional money. It just said the governor could spend money that's in the General Fund immediately, without waiting for the legislature. Somehow or other, it's made up later. I don't remember the details, but it does give him the flexibility he needs to move right away.

MORRIS: Have you ever talked to Senator Campbell about why he particularly was interested in this and took the lead?

PETRIS: No, I didn't, simply because he's been in it for years. For some reason, he's developed a . . . He's kind of the spokesperson for the firefighters and the emergency people throughout the state, because he's carried legislation for years. Eventually we created a committee and made him chairman because of his experience and strong interest. Now, I've never asked him why, going back to day one, he ever got into it in the first place.

MORRIS: Does an emergency services committee come up to the territory that the Seismic Safety Committee deals with or did they cross purposes at times?

PETRIS: No, they're not really cross purposes. Campbell's [committee] tries to do as much prevention as possible, but his emphasis is on what we do after the fact; how do we help people. The seismic people try to anticipate by requiring better construction and better planning all around. So they might overlap a little bit here and there, but they don't come at cross purposes.

MORRIS: I've heard it said that in developing these standards, at one point the state passed a Uniform Building Code which includes some seismic earthquake specs [specifications].

PETRIS: Yes, that's all in there. We've had a lot of things like that. Not all of them have passed, but a lot of them have.

MORRIS: In some cases, there seem to be exemptions--that public buildings don't need to conform?

PETRIS: Yes, it's crazy.

MORRIS: What's that about?

PETRIS: That's a standard policy. We always exempt the public sector because of the high cost. We tell the private sector, you've got to do it to save lives, but we don't apply it to public except for

schools. Thank goodness, the schools held up very well. The only place I've heard of a school that went down was down in Watsonville. Everywhere else, the schools have held up pretty well. There've been damages, but no real significant ones.

It's strange, and most unfortunate. I mean, we apply that in one policy after another. We exempt the state. I always argue against it. The reason they do it is because of the additional cost, which means taxes, and nobody wants to promote taxes. I shouldn't say nobody; a lot of us do when it's necessary, but there are others who absolutely won't go for it. Even on this.

I don't know if you caught it on TV yesterday, on the report of the. . . . Well, they showed the actual press conference of the governor with the legislative leaders from both parties in both houses. The assembly Republican leader was interviewed after-- [Senator] Ross Johnson, who was pessimistic about the governor's proposal making it through the assembly.

MORRIS: Really?

PETRIS: Yes, because there are a lot of members in the Republican party who are not going to vote for a tax, no matter what. Especially those who come from the south. The farther away you get from the epicenter, the more difficult it is to support a tax. He's not

saying he was opposed, but he's trying to read the way his people think.

MORRIS: To telegraph how the discussion may go in a special session?

PETRIS: Yes.

MORRIS: Why did the governor decide to call a special session if there was this emergency expense . . .

PETRIS: It wasn't enough money. He'd have to wipe out the whole surplus, which is about a billion dollars, and we need more than that. I guess the information they got from the assessments were that we need 800 million more. I was surprised; I thought our effort would at least match the federal, you know, because they're talking about ten or eleven billion dollars in property damage. Now, we're not going to rebuild all the private buildings, but we are going to provide loans and grants--mostly loans--to people to rebuild. We can't just sit back and let the feds do it all. There are immediate needs of all kinds. Of course, we concentrate on the public sector, you know--the roads, the bridges, the freeways. But hopefully. . . . I don't know what's going to be in the bill; hopefully it would extend beyond that to some kind of help for the private sector as well.

MORRIS: For the people who don't have insurance on their home, or the

people who run these low-cost hotels and things like that?

PETRIS: Right.

MORRIS: What kind of questions were there within the finance committee leadership on how much the governor should ask for in the special session?

PETRIS: I don't know. I wasn't in on the meetings, so I don't know whether they tried to get a billion or two billion. My hunch is that some of them undoubtedly wanted a much higher figure, and maybe the governor felt a much lower figure would be adequate. They compromised somewhere in between, that's my hunch. I won't really know until Thursday, when I go up there. Or tomorrow; I'm going up tomorrow.

MORRIS: Does calling a special session involve a lot of preparatory work?

PETRIS: Well, it does for the particular bills they're working on. I don't know who's going to carry them, but they probably have a bill being drafted right now. It'll probably be ready by Thursday. Then it'll be put right in immediately. We can do the whole thing in one day, in an emergency.

MORRIS: Is that likely?

PETRIS: Yes, it's pretty likely. Yes. Certainly not more than two days.

MORRIS: Will that be it, or will there be some interest in discussing some

more long-range programs?

PETRIS: No, I think there will be a lot of the long-range stuff. But whether they want to do it now or January remains to be seen.

MORRIS: With an emergency situation like this, is there a lot of jockeying for position as to who gets to carry the bill?

PETRIS: Oh, yes. There always is.

MORRIS: Is everybody going to be on the bill?

PETRIS: Probably a lot of people, yes. Especially those in the affected areas. They need to show their people that they're trying to do what they can to help. So there will be a lot of co-authors.

MORRIS: From your own observation, does this give us some lessons about interagency cooperation and state and local cooperation, things like that?

PETRIS: Well, I think it gives a good example. I haven't heard of any major obstacles, of people failing to do things they should have done. Now, the dust hasn't really settled yet. The only complaint I've heard is not in interagency cooperation, but in what some experts believe is a rush to destruction. Buildings being torn down precipitously, not giving the occupants enough time to go in and get their belongings.

Also, the chairman of our State Capitol Commission, who is

an architect, specializes in preserving and restoring old buildings, was very alarmed about the decision to tear down a lot of buildings that he thought could be saved. He was trying desperately to get hold of the mayors of Oakland and San Francisco in particular, to let him send a team up to check out historic buildings before they decided to pull them down. I guess he heard right away that the city hall of Oakland was going to get torn down. He was very disturbed about that, because he considers it a beautiful historic building of that period.

MORRIS: That building had already been scheduled for major renovation, and they moved a lot of people out.

PETRIS: Yes, they moved them across the street. The mayor's office is across the street in the new building. But it's a beautiful building, actually. I don't know. Have you been down there, in the inside?

MORRIS: Oh, indeed I have. Indeed I have.

PETRIS: Many times, I'm sure. The staircase, and the marble, and. . . . I think it's beautiful.

MORRIS: Very impressive.

PETRIS: It would be a travesty, I think, to lose that. I think we ought to do what we can to save it.

MORRIS: That sounds like it might involve the kind of major project that



restoring the state capitol did.

PETRIS: Yes. Not as big, because it's a smaller building. Only that type of thing, yes.

MORRIS: Does this pose some opportunity for the city of Oakland to turn around its economic troubles? The people looking for space from out of the area, and the visibility for the city?

PETRIS: Yes, I think it could be turned into an opportunity. Actually, the downtown development was coming along very well. They just announced maybe a month before the quake that the final anchor that they were seeking for such a long time for the whole downtown redevelopment had decided to come in. And that was a major department store, followed quickly by a second one. So they have the biggies coming in, including, I think, Nordstrom [department store]. People were amazed that Nordstrom had decided to come in, but I think their market studies showed it's a very good market area. So that it was all go from there on, you know, where things had come together, buildings would be built. Many jobs in the construction as well as the operation of the retail stores that were coming in. So Oakland was really in position to do things they'd been planning for quite a few years now.

MORRIS: You've been watching that for a long time. Why has it taken so

long for Oakland to make it?

PETRIS: I think the bad image of crime is probably the main obstacle. It's very difficult to persuade a major retailer with a national opportunity to pick sites to come into an area that's got a reputation of being one of the worst drug-related crime areas in the country. Lot of murders and other problems. People shrug their shoulders and say, "Well, I don't need to get in that environment." And in spite of all the positive things that are going in Oakland, which are substantial, that's enough to chill anyone's ardor about coming in. I think that's probably the main reason.

There are other reasons, too. Sometimes the lack of coordination locally. Resistance by local residents, people who've felt that--in the minority community, opposed major developments without some role of minorities beyond menial jobs. Opportunities as investors. Depends strongly on . . .

MORRIS: For minority investment?

PETRIS: Yes. There's been a strong movement headed by Paul Cobb--he's one of the leading activists there--saying we should open up opportunity to the black community and other minorities to invest in this. Instead of getting it all from the developers and the major companies. Assign a certain percentage; give them an opportunity

to buy. They'll do it. I think the earthquake experience and the reaction of that community--their really heroic efforts in scrambling up that freeway when they didn't know if it was going to come down any minute, to rescue people they didn't even know--will help to refocus the spotlight on that and maybe improve the attitude of people who've been resisting the idea.

MORRIS: Does it offer an opportunity, in providing interim housing for people whose buildings and homes have fallen down, to include the people who were already homeless and destitute?

PETRIS: Yes, I think so. I think when we look at that, we can't just limit ourselves to the specific persons who were made homeless by the quake.

MORRIS: On the seventeenth.

PETRIS: But to look at the overall. I noticed in the TV coverage several times, and in the newspaper, there was mention of people who came to get some hot meals who were not really made homeless by the quake but were homeless before. Of course, they weren't turned away, they weren't. . . . They joined in. There was one especially, a big barbecue down by the freeway, with a lot of people coming in, bringing food and all, and they had a terrific barbecue. A lot of people lined up there for food who were not

the immediate. . . . And part of that was to feed the volunteers and the rescue workers, but others came in, and they were welcomed.

MORRIS: I understand that some of the Oakland volunteer organizations have been successful in tapping into state sources of emergency funding.

PETRIS: Yes, I understand that's true. I don't know what the specifics are, and how much and from which agencies. But they have been able to do that.

MORRIS: That's really helpful; I appreciate that. Before going back to my earlier notes, I had some more questions--if I could find my notes --on reapportionment, which is something that the project is interested in.

PETRIS: Which is coming up again.

MORRIS: Well, yes. That's what made me want to go back, because you've looked at. . . . This will be your fourth reapportionment.

PETRIS: I hate to admit that. I was elected just before the reapportionment time, you see. I was elected in '58, and went into office in '59, and that's when they started drawing the plans for the next year's legislation. So I was in on '60, '70, and '80. This will be my fourth one. [Laughter] Yes.

MORRIS: I was really puzzled that when I got into looking up the events, there were two reapportionments in the sixties. There was one that you did in '61-'62 . . .

PETRIS: The Reagan veto.

MORRIS: That would be the one in the seventies.

PETRIS: Oh, right.

MORRIS: But then in 1965 . . .

PETRIS: Well, it was a Supreme Court decision, reapportioning. We did our regular reapportionment in the early sixties, and then the one man one, vote decision came down,<sup>1</sup> which resulted in a lawsuit in California, which reached the California Supreme Court, which ruled that in view of the U.S. Supreme Court decision of one man, one vote, we had to stop treating the senate as a body that represented land and recognize that it must represent people.<sup>2</sup>

The system prior to that, Los Angeles County had one senator. They weren't the size they are now, but they must have had three or four or five million at the time. Four million, at least. One senator. And you had other senators in "cow counties,"

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<sup>1</sup>Reynolds v. Sims, 377 U.S. 533 (1964).

<sup>2</sup>Silver v. Brown, 63 Cal 2d 270 (1965).

as we used to call them, also being represented by one senator--a large area with very few people in it.

And there were other rules that made it difficult to be realistic and flexible. You couldn't cut across a county line. If you went into one county to form a senate district, you had to include the whole county, for example. Those things were changed as a result of the Supreme Court decision and subsequent legislation.

But actually, that was not. . . . That decision, of course, was severely criticized at both the national and local level. The state court had to follow the mandate of the Supreme Court when they got the lawsuit, but . . .

MORRIS: The one man, one vote decision was criticized?

PETRIS: Yes. But when you look at the history of California, indeed the history of all the states, people had overlooked the fact that every state in the union that came in after 1803, from 1803 on, went in with two houses, both of which were elected on a population basis. Including California, which didn't come in until 1850. From 1850 down to the twenties, we had both houses elected by population. It wasn't until the twenties when they made the change. When the agricultural interests, which were always strong in this state, prevailed. It didn't bother them in the 1850s. There

was essentially an agrarian community in California, and they took pretty good care of themselves in the constitution right off the bat. For example, the property tax structure. The status of growing crops, and crops that were just harvested were exempt from taxation. They had other things . . .

MORRIS: And trees standing in the forest.

PETRIS: And the trees standing, and so forth. They took very good care of themselves, and they didn't contemplate any one man, one vote problem because the cities we had at the time were pretty small. L.A. was a little hamlet. San Francisco was the big, bustling city, though when you look at the total number of people there, there wasn't all that much, either. I think at one time, they had several senators from San Francisco.

MORRIS: Really?

PETRIS: Yes.

MORRIS: Well, a lot of the big landowners also had headquarters in San Francisco, so agriculture was a factor in the city, too, in that instance.

PETRIS: Yes, right. They exercised a lot of power. So the one man, one vote decision came along, and took us back to our roots, actually, and said we have to go back the way we started. People who

threw rocks at the U.S. court overlooked that--or concealed--that little historical fact that the court was restoring us to a system that we had had for many years before that.

MORRIS: How different were the ways. . . . You were on the Assembly Elections and Reapportionment Committee for both of those reapportionments.

PETRIS: I think I was, yes. I was chairman of that committee either before or after, but not during reapportionment. Yes, I served on . . .

MORRIS: But you were still on . . .

PETRIS: I served on it a couple of times, I believe, in the assembly.

MORRIS: That was what I suspected, and I wondered, after the California Supreme Court decision, what was done differently in doing that reapportionment than the previous one?

PETRIS: I don't think it was that much different than. . . . The motive of the incumbent is to stay in office. There's no doubt about that. The lines are drawn by the people who have the majority. Now, another little-remembered fact of California history is that in this entire century, all the reapportionment was done by the Republicans, who had an enormous majority in both houses right down to the thirties when the first Democratic governor of the century was elected. That was Culbert Olson. Since Culbert



Olson, we've only had two Democrats, so in this whole century we've had three Democratic governors, period.

MORRIS: That's true.

PETRIS: And all the reapportionment prior to '59--'60, that is--the first sixty years . . .

[End Tape 11, Side A]

[Begin Tape 11, Side B]

PETRIS: . . . Republicans maintained the majority most of the time. I think in the nineteenth century there might have been three or four Democratic governors.

MORRIS: It was a different Democratic party.

PETRIS: Yes, it was a very different party. It was probably agrarian. A pretty conservative party. Labor didn't have much voice in those days, for example. So you had a solid Republican state that drew the lines to perpetuate itself in power, which screamed bloody murder when the Democrats finally got control and did exactly the same thing the Republicans were doing. All of a sudden that became a no-no, and they paraded around with banners of good government. Well, we were using their model as an example.

MORRIS: Along that line, I've heard that [Assemblyman] Charles Conrad was the Republican architect of reapportionment. Did he have any

magic rules for reapportionment that he shared with the committee? You and he were on the committee . . .

PETRIS: Well, yes, I don't know about magic rules, but his basic effort was to preserve as many Republican seats as he could. He screamed gerrymander all the time. They all do.

MORRIS: Really?

PETRIS: Sure. You don't like a plan, you pull down the dirty word, gerrymander. But we learned our lessons mostly from them. They just didn't want to admit it.

MORRIS: In later reapportionments, there were reports in the press that each legislator is taken into the leadership's office and told, "These are going to be your boundaries." Did that apply in the early years? Was the horse-trading . . .

PETRIS: It wasn't quite that brazen. The leadership met with every member, starting with the Democrats. But they also met with the Republicans. They started with the Democrats, and asked for input. They said, "What problem do you see in your district that we might be able to help you with?" It wasn't "Here's your district; take it and run with it." Because they had to get it. . . . You know, if you make a district bad for an incumbent, he's going to vote against it. So you had the obvious practical mission of the

leadership, which is to get as many votes for that bill as possible, including Republicans. But you start with your own base. So it wasn't a matter of commanding each Democrat to lie down and take a district. It was "Come in and tell us how we can help you with your district."

Now, if you've got a district that's lopsided, as some of them were, you may have to persuade them to give up a few points of percentage. You've got a 75 percent district, you can live with 70 in order to move people over to another area that might help your neighbor, for example.

MORRIS: You came up from 50 to 55.

PETRIS: Fifty-five, yes. Very crucial numbers there. Very crucial. It's an extremely complicated thing, because there are local interests you run into. People want to be heard on where the lines should be. I remember one year we ran a line right down MacArthur Boulevard. We had one assembly district on one side and one on the other. In East Oakland. There was a Republican assemblyman at the time that was actively involved. That was, I believe, [Assemblyman Don] Mulford, and before him, Walter Dahl. They had a strong base for years, centered around Piedmont and other areas that kept him in office. Parts of Berkeley, as a matter of

fact.

So, you know, the good leader doesn't dictate. He invites people to come in and give him some input. Just as Unruh is often criticized for being a dictatorial boss in the assembly, because on the surface a lot of his facts seemed. . . . And I guess sometimes they were, but they talked a lot about the assembly speaker having entirely too much power. He picks every member of every committee, and he picks every chairman.

Well, he never did that alone. Never. He would bring in the leadership within his own party. He would bring in members of the caucus. And he always had a system of having each member, at the beginning of each session, fill out a form expressing his desire for priorities and appointments. He tried to accommodate them as much as he could, but he had to have a geographical balance. In the water committee, you couldn't have everybody on it from Southern California. They'd steal the northern water, and that'd be the end of it. And he recognized that.

MORRIS: He understood that, even though he was from the southern county?

PETRIS: Of course. Because he had to get as broad a support base as he

could, and maintain it. So he couldn't be arbitrary. So you had geographical interests to take into account, economic interests, ideological interests. It's extremely complicated in a house of eighty members to come up with the right proportions.

MORRIS: Why is Unruh consistently, however, spoken of and regarded as being a really autocratic, bossy person?

PETRIS: I think it was a good job done by the press, that I think gave him a bad rap. I remember the worst of it came when he had a call in the house, in a particularly tough. . . . I forget what the issue was.

MORRIS: When he locked up the . . .

PETRIS: Locked up the house.

MORRIS: That was the budget.

PETRIS: Well, the press made it look like we've never used the device of locking up the house. We do it every day. Every time a member asks for a call of the house, if I have a bill which falls short of the number I need, instead of delaying all the proceedings until I can work the floor and get enough votes to put that bill out, they go on to the next bill. Well, how's that. . . . Well, then what happens to mine? If they abandon mine, it's dead. So we have a rule that's been there since day one, that gives me a right to make a motion to have a call of the house, the theory being that some of

the vitally needed votes are not on the floor.

MORRIS: They're meeting with constituents . . .

PETRIS: They're in meetings. Yes, they might be meeting with constituents, or over in the other house. They could be anywhere in the building, or outside, for that matter. They might be in the district, in an important meeting. Now, even if there's eighty people there, even if you have 100 percent attendance, you still ask for call of the house to talk to people, to persuade them to switch their votes in favor of your bill.

MORRIS: You just sort of suspend activity . . .

PETRIS: You suspend activity on that bill and go on to the next one. But technically, that's a lock-up. The phrase used is, "The sergeant of arms will lock the doors and bring in the absent members." That's the phrase used in each house, every time there's a call of the house.

So this was just another call of the house. The only difference was, there was a big partisan freeze, you might say-- both sides locking in and refusing to budge, and Unruh wanted the Republicans to vote. You see, they had refused to vote on that issue. And he said, "Look, I don't care if you vote yes or no, but you've got to vote. You're here to vote and you can't duck your

responsibilities." That was part of the fight. And the lock-up continued all night long.

Well, the press really dumped on Unruh, called him a dictator, called him "Big Daddy." Every speaker in history has done that. Maybe not overnight, but that's what a lock-up means. But they presented it to the public as if this was an extraordinary device that no one else dares use, and nobody but a bully would use it, and that's the situation we're in, with this one authoritarian, dictatorial, etcetera, bully locking these people up. They showed pictures of people bringing in cots for the members to sleep on, and some of the older members who weren't that . . .

MORRIS: Robust?

PETRIS: . . . strong and robust, kind of frail. It was a terrible disservice, I thought, by the press, to seize on a dramatic fight, to pinpoint this man as a big bully. Now, I'm not saying he was not. . . . I'm not saying he was averse to very strong positive action. But I thought he got a bad rap. And he never got over that. He was never able to live that down, no matter what he did in subsequent years.

MORRIS: To a certain extent, did he enjoy the kind of notoriety that the press gave him?

PETRIS: Well, he always turned a disadvantage to an advantage. He did

use that to. . . . I think he was able to use it to help persuade people that. . . . The fact that he would go to the mat on a tough issue was enough to, I think, persuade members to do things that they might not otherwise have done. You don't like confrontation; you try to avoid it if you can.

I remember another big fight before he was ever speaker. I was in my freshman year [1959], and it was Pat Brown's first year, and he had to have a tax increase because the surplus had run out. In fact, Pat Brown inherited a quarter-of-a-million-dollar deficit. We don't have deficits, technically. But in order to make that budget balance, we had to raise taxes to the tune of a quarter of a million. No, \$250 million, I guess. A quarter of a million doesn't sound like very much. I think it was \$250 million.

Pat drew up a program along with the Democratic leadership, across the board. Everyone was included; there were no exemptions. Everybody had to pay his fair share. He went to industry, he went to the insurance people, and persuaded them to change the timing of their payments so the state would get their money several months sooner than usual. And a lot of things like that, the Republicans called bookkeeping gimmicks, but they worked. And they worked . . .



MORRIS: Was that the accrual accounting idea that . . .

PETRIS: Well, that was later. Yes. The accrual thing was part of it, that's true. The thing that they didn't point out in attacking him was that--attacking the governor--was that this was done on a voluntary basis by the people he talked to. He went to them and said, "We're in a jam. It's none of my doing. I'm the new governor. We're going to need this money. One way to get it is to have you folks change the time schedule on the payment of certain things." They said, "Fine." They did it.

MORRIS: The insurance industry said that?

PETRIS: Yes.

MORRIS: Heavenly days!

PETRIS: Yes, the insurance industry did it. Of course, he had a lot of fights with them later on, and I did, too, on their exemptions and property tax, and so forth.

MORRIS: On the . . .

PETRIS: Excuse me. The reason I got into that was that having enacted . . . . Having developed a package that required everybody to take part in a tax increase, we got into a problem with the oil industry. They didn't want to do their share. They were very strongly opposed, and they had the votes in one committee to defeat the

bill.

So Unruh devised a legislative maneuver to move that bill from one committee to another. To move it to the Assembly Ways and Means [Committee], which he chaired at the time. He was the floor manager for the speaker and very close to the governor at that time. He came to me. I was a freshman--I wasn't chairman of any committee--along with the chairman of the Rev and Tax Committee, who was [Senator Thomas] Tom MacBride--later became a federal judge, now retired--and said, "We cannot afford to have a broad, across-the-board tax increase and exempt the oil industry. It's not fair and it would make all of us look terrible. It's embarrassing to the governor. We can't move it out of this committee. They've got a hammerlock on those members. I want you to help us." "What do you want me to do?"

Well, we were in all-day sessions at the time; it was toward the end, so we were reading all day on the floor. He said, "I want you to come back from lunch on time." People usually straggle back. "And the speaker will recognize you. You make a motion to re-refer this bill to my committee." Now, you have the consent . . . . In order to do that, you have to have the consent of the chairman of the two committees involved--the exiting committee

PETRIS: and the receiving committee. MacBride was very strongly opposed to it. He thought that was playing a trick and it would cause a lot of bad feelings. But he went along. He recognized the importance. He never liked it, but he reluctantly went along. So I made the motion.

MORRIS: He was the ceding. He was giving up the bill.

PETRIS: Yes. He was giving up the bill because he couldn't get it out of his committee. So I made the motion to re-refer A.B. number such-and-such from Revenue and Taxation to Ways and Means. The speaker said, "Is there any discussion?" There wasn't any. "All in favor say Aye." It's done on a voice vote, normally. And a handful of us who were there and prepared voted Aye. And it was done.

When the Republicans trickled in and found out what had happened, they just raised Cain. [Senator Joseph] Joe Shell, who was just recently appointed to the [State Board of Agriculture and Services] agriculture board, was the minority leader. He went crazy. First he came over to me and really chewed me out. He said, "I think you're being used. I don't think you realized what you were doing. This is a terrible way to do business." Of course, he is an oil man himself, had been at the time, and still is. So I

didn't consider his anger very valid. I said something to him like, "Well, it's not fair to have a tax bill across the board that exempts your industry and nobody else's." That's all I told him.

So he immediately made a motion to rescind the action. It went to a vote and he didn't have anywhere near the votes he needed, so he put a call of the house on it. That went all night into the next day. Now, we could have lifted that call. We had a majority. But the common courtesy in the legislative thing is to grant the person who makes the call every opportunity to get those votes. Now, a lot of their men had left for the weekend, so he had to call them and get the highway patrol to flush them out and fly them back. They came flying--one of them was on a fishing trip. So the call went far into the night. I don't remember whether we stayed all night in the chambers or we took a recess by gentlemen's agreement to come back the next morning, but it was either Friday or Saturday before that thing was resolved.

That was never characterized as an authoritarian lock-up of members and bringing them back from their districts where they were doing their local work. There was never a barb thrown at the people who locked up the house during that whole time, and never credit given to the leadership on the Democratic side, for

PETRIS: honoring that opportunity and not overpowering them by lifting the call. We had the votes; we had fifty-two persons, I think. We had a very big Democratic majority at that time. It was part of the Pat Brown landslide. That's when I went in. That's one of several areas where the other side of the story never really reached the public. You take the average person on the street and you say, "Jesse Unruh," he's going to think, "Big Daddy," power-plays . . .

MORRIS: A maneuverer, a manipulator.

PETRIS: A manipulator, etcetera. When actually Unruh made a very significant contribution to state government which was copied all over the country. By beefing up the legislature to give them a better balance with the executive. The executive had higher-paid people and a lot of categories, and we were at a terrible disadvantage sitting down at the table negotiating. Even though the executive was Democratic, there was a terrible imbalance. There were always inter-institution fights, inter-branch fights. No matter what the majority is, there's always this tension between the legislature and the executive. Even if they're both the same party, there's still a certain amount of tension. It's increased enormously when they're different parties, of course, but. . . .

So he upgraded the staffing of the legislature, and he brought in really top people. He brought in people that both in numbers and certainly in quality could match the executive. They were experts in their fields.

MORRIS: In theory, if you carried that out, you could arrive at a point where the legislative branch was stronger than the executive branch.

PETRIS: Yes, that's true. That's always a . . . It's a back-and-forth thing.

MORRIS: What would that do to the orderly operation of government as we think of it?

PETRIS: It's not very likely to happen. You can't do that unless you have two-thirds, because the governor always has the last word. All he has to do is veto things. The vetoes are not very often overridden. In the senate, you need twenty-seven votes out of forty. That means thirteen plus one can beat you. If thirteen stand fast, you don't override. But you're always going to have at least thirteen people of the opposite party in that house. So that's where the balance comes in.

MORRIS: What about similar tension between the assembly and the senate?

PETRIS: Oh, yes, there's plenty of that. There was during the Unruh years, too. That adds to the executive's advantage; when they're fighting

among themselves, the executive sits on the sidelines.

MORRIS: Going back to reapportionment. At that point, in '66, it's reported that Pat Brown wanted the legislature to move faster on reapportionment. Do you recall what that was about?

PETRIS: I don't remember that. You mean following the Supreme Court decision?

MORRIS: Right.

PETRIS: I don't remember that. I thought we moved as expeditiously as we could, but the senate was not as eager to go because they were being called upon to fall on their swords. As I said in a speech to the caucus, I felt very sad that some of the giants would be compelled to leave the senate. I said I support the court decision. When I look around that senate, we had some monumental figures, several of whom were appointed to the appellate court by Pat Brown. He wanted to get going so things would go smoothly, but he was equally saddened by the loss of substantial members of the senate who were close to him. People like [Senator Joseph] Joe Rattigan. [Senator Stanley] Stan Arnold. [Senator Edwin] Ed Regan--he was chairman of the Judiciary Committee. Rattigan was head of Social Welfare, one of the great orators of all time up there, and a bright legal scholar. Those are three that come to

mind immediately. There's another one, [Senator James] Cobey. Jim Cobey. Now, those four were earmarked for extinction because of the nature of reapportionment. They were from northern counties that had more area than people.

MORRIS: So their districts were going to be collapsed into . . .

PETRIS: They were going to be collapsed into the population centers. We picked up a new senate seat in Alameda County as a result. That's why I ran for the senate. I went for the open seat. I wasn't up against an incumbent.

MORRIS: Later on, Phil Burton was reported to run reapportionment maneuvering with an iron hand. Is that truth, or is that also . . .

PETRIS: There's no iron hand where you need to have every single member going for you. The iron hand is the opposition viewpoint. From their standpoint, it's true. He wasn't going to budge and do them any more favors than he had to. But by and large, I think his role in reapportionment was pretty darn good. It helped us. It didn't squelch the Republicans; it gave us the maximum advantage. But I'm sure that there were reapportionment efforts. I remember discussions at the time, when the Republicans were attacking it. He would say, "Go back and read the minutes of your own



reapportionments for the last sixty years. And then you come back and tell me about fairness in government." I mean, he had them every time on that. And he always did his homework. He could recite what they did in 1910 and 1920 and 1930, and tell you who was in which district. He knew that stuff cold.

MORRIS: He really made a study of reapportionment.

PETRIS: Oh, absolutely.

MORRIS: Did he have some staff people who were just working on reapportionment?

PETRIS: Oh, yes. Yes. Well, I don't know to what extent he had his own people or how much he worked with the reapportionment committee itself, but he had good staff people, did some good research. I don't know where they came from. A lot of that he did himself. He did that himself. He knew assembly districts better than the assemblymen of that district.

MORRIS: Really?

PETRIS: Oh, yes. He would have people come in, and he would be part of the team that would talk to members about which way the line should go. And you'd see a Democrat talk to Burton, saying, "I don't care what you say, I've got to have this." And Burton would sit down and point out the facts of life to him, and show that that

is damaging to him, and if he went the other way, it would be a lot better for him. Sooner or later, the guy would come around and realize he was right. Sometimes you have an emotional attachment to an area; maybe you've lived there at one time. Politically, it's not good for you. That clouds the judgment.

MORRIS: In doing these discussions with individual legislators, do you in addition talk to party leadership or constituent groups or things like that?

PETRIS: Oh, yes. We have public hearings on that. We have people come in both publicly and privately. The first step is to try to get support from the legislators, including the Republicans. We always felt. . . . Bob Crown was chairman once or twice. He did a masterful job dealing with the Republicans. His theory was, "Hey, the more of those guys you can satisfy, the less we are subject to a partisan plan." And sure enough, we did that time after time. When Reagan was governor we had a marvelous plan worked out in cooperation with the Republicans.<sup>1</sup>

Reagan didn't like it. His own leadership pleaded with him, "Sign the bill. It's the best we can do." He thought it was

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<sup>1</sup>S.B. 195, 1973 Reg. Sess.

outrageous because it didn't do whatever he wanted us to do, and he vetoed it and turned it over to the supreme court, which appointed a master, a professor of political science from the state of Oregon, who came down and drew a plan that was better for us than our plan was.

MORRIS: Are you agreeing with that idea, or are you being . . .

PETRIS: No, absolutely. It was better for us, and the Republican leaders pointed out to Reagan, "You wouldn't listen to us. We told you it was going to happen this way, or it could. And now instead of getting this number of seats, we're short." Because he went ahead and vetoed the bill.

MORRIS: What did you understand as what Reagan's complaints were about it?

PETRIS: He wanted more Republican seats. He thought they could do better at the polls and do better with the supreme court because they'd be "objective." He thought this was a Democratic package totally slanted in one way, and didn't help the Republicans at all. Well, we made a lot of concessions to the Republicans to get their support. You don't just go in and say to vote for this bill. They're going to say, "What's in it for me? How many of our guys get dumped?"

MORRIS: Was it Reagan himself or was it somebody on his immediate staff that was [Inaudible]?

PETRIS: I think it was Reagan. I think it was Reagan. Could have been somebody on the staff; I don't know who the heck was advising him at the time, but my recollection is it was Reagan all the way. I remember that because Republican leaders who had gone in to appeal to him talked about it openly. They were very unhappy. And they stuck with us. They voted for the bill. Because he said he was going to veto it before it ever passed. And they were talking to him before it ever got to him, to appeal to him to sign that bill. In spite of his assurances that he would veto it, the Republicans voted for it. The vice-chairman of the Elections and Reapportionment Committee voted for it. He was a Republican. And other Republicans voted for it.

MORRIS: When the governor has vetoed the bill, does it then automatically go to the state supreme court, or does somebody have to bring a suit?

PETRIS: The first step is to override the veto. We didn't have enough votes to do that. According to a provision of the constitution, it does go to the supreme court. I don't remember whether it goes the very first time, or we get another shot at it. I think it was just a one-

time thing.

MORRIS: Because if the governor vetoed . . .

PETRIS: We had a secondary . . . Pardon me?

MORRIS: Usually if the governor vetoes the bill, isn't it dead?

PETRIS: But there was a special provision enacted by the people when they changed the thing--when they amended the constitution in the twenties or thirties. There was a period there when the same thing happened, and there was a deadlock. It went on for several years. There was no reapportionment for several years because of the deadlock between the governor and the legislature. As a result of that deadlock, a constitutional amendment was enacted that said if the reapportionment goes past a certain period--I don't know whether it was in terms of number of sessions or years in the calendar--it goes past that point and there's no reapportionment, it's kicked over to the court. This was the supreme court. The supreme court directly had the responsibility to do the apportionment.

The way they acted was by appointment of a master, which is what they do in many cases involving some very complex subject. I don't want to say. . . . They don't do it in many cases; the courts generally appoint referees or masters--the term varies

from court to court--to come up with a proposal. They made some changes to that proposal. They didn't buy the whole thing. They made some changes. And then they adopted it.

MORRIS: How come the process of reapportionment seems to have gotten more contentious every time . . .

PETRIS: It's simple. The Republicans don't like being out of power, any more than we do. They've conveniently forgotten history. They owe us sixty years, as far as I'm concerned, as a rabid partisan Democrat. They owe us sixty years. And we don't have sixty years yet. I'm only talking about this century. I don't know about the prior century.

MORRIS: Right. You're ready to . . .

PETRIS: I'm ready to go the full sixty years. Absolutely.

MORRIS: How about your own district?

PETRIS: I have the best district in the state. Absolutely.

MORRIS: Even though it has moved around from Oakland and the south part of the county, to the north end of the county plus part of Contra Costa?

PETRIS: Yes. When I first went in, it was at-large. The court had added a second senator, but for some reason unknown to me--I may have been told, I don't remember--they made two districts at-large

districts.<sup>1</sup> San Francisco and Alameda counties each had two senators instead of the previous one. Each one representing the entire county. It wasn't cut in half until later legislation. So in my first few years in the senate, I was representing the entire county. I had an office in Fremont, for example. And I had one in the state building in Oakland. The population at that time was over a million. It was one of the biggest senate districts around, anywhere in the country. Later on, I think at the very next reapportionment, we cut that in half.

MORRIS: When you first ran for the senate, in 1966, the county had just been redistricted as two seats. Did Holmdahl run for one district and you run for the other?

PETRIS: No, let's see how it worked. I ran for the other, against [Assemblyman] Byron Rumford. That's not right.

[End Tape 11, Side B]

[Begin Tape 12, Side A]

PETRIS: I was not ever going to run against Holmdahl. He was an old friend; I thought he was a good senator. When the new district

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<sup>1</sup>In the 1966 reapportionment, Alameda County was assigned Senate Districts 8 and 11, replacing the single, Sixteenth District which was at the time represented by Senator John Holmdahl.

opened up, I promptly announced I was going to go for the new one.<sup>1</sup> Byron Rumford also announced, and that was a path of collision that I did not relish or enjoy at all. I went to see him, and in the meantime. . . . I'm trying to remember how Holmdahl fitted into this picture. I talked to Byron.

See, at that time, it was still countywide, and the question was, do you run for the two-year term or the four-year term? Because in order to equal things out, some of the districts had to be just two years. I don't remember why. So one of the districts in Alameda County was going to be a two-year term, the other one four. So I went to Byron and said, "I don't think we should run against each other. I think we should pick other districts. I think as the senior man, you should choose whether you want the four-year or the two-year." He went for the four-year. And I went for the two-year. He drew . . .

MORRIS: Lewis Sherman.

PETRIS: Lewis Sherman as an opponent. Where the hell was Holmdahl all this time?

MORRIS: That's what's unclear. There was a new district that did not have

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<sup>1</sup>Senate District 11.



an incumbent.

PETRIS: That's right. That's the one I ran for.

MORRIS: Right. I was unclear about Holmdahl because, after the reapportionment, you were both living in the same district, except that one of you apparently chose not to run for that district.

PETRIS: Isn't that strange? I've got to think that through, now.

MORRIS: This was in 1973.

PETRIS: Yes. Lewis Sherman, he defeated Byron Rumford by a handful of votes.

MORRIS: It was challenged. That was in 1966.

PETRIS: He was Berkeley.

MORRIS: Right. And that count was challenged.

PETRIS: Yes. Byron was convinced to the day he died that it was rigged. He was really convinced that they did him wrong.

MORRIS: That was before electronic vote-counting?

PETRIS: Trying to remember who my opponents in the primary have been. Oh, I guess I had two or three opponents in the '66 primary. I think that's when Colin E. Kelley ran. East Oakland resident.

MORRIS: Had he been around before?

PETRIS: Yes, he'd been active a little bit. Not a whole bunch, but he was pretty well known in the community. Memory fades. While you're

looking that up, can I take a short break? See if I can find the comfort station?

MORRIS: Yes.

[Interruption]

MORRIS: In 1968 Mario Savio ran against you on the Peace and Freedom ticket, and then in 1972 there was no opposition in the primary and only Thomas J. Miles, in the Eleventh District.

PETRIS: You know what happened? I'll tell you what happened. Holmdahl dropped out for a term; he didn't run in 1966. So Holmdahl was not in the way in 1968. He came back later. That's what it was. Sherman defeated Rumford; in fact, we were seatmates on the senate floor. And I defeated my. . . . I guess Thomas Miles was one of them, at one of the elections. Then Holmdahl made a comeback later. He got bored. Anyway, he was out for four years and then he came back and defeated Sherman.

MORRIS: So it was resolved. When you have this problem of two good Democrats in the same district, would you talk to Pat Brown about appointing one of them to the bench or other position?

PETRIS: No, we never went to Pat Brown. We talked to each other. But you see, when we went to. . . . I deferred to Rumford, and I said, "You choose the short one or the long one." Because it was

countywide at the time, so it didn't matter as to which district. It was just a matter of time. And I felt since he was senior, and since I was so happy that I wouldn't be considered an upstart challenging Holmdahl head-to-head in a race for that seat, Rumford chose the long term and I got the short one. So I would have to run again two years later [in 1968] and he wouldn't.

In fact, I remember going to Rumford with Leon Miller, who was my part-time legislative assistant. We didn't even have district offices at that time. I had to operate out of my law office. But we did have authorization for part-time help. One staffer. That was Leon Miller, who was very active in the black community. I told him that I thought it was going to be very tough for Rumford to carry the southern part of the county. He would do very well in Berkeley and Oakland, but he had to have a certain amount of support from the rest of the county to make it. Leon and I went to see him. The idea was to offer whatever help we could in the more conservative parts of the county, especially South County, from San Leandro south. I had good connections in San Leandro; I knew people there. My wife was from there. Her father was a former vice-mayor--acting mayor at one time.

MORRIS: So you had some political support to contribute?

PETRIS: A little bit, yes. Not a lot. I didn't do all that well in San Leandro, but I could help him enough by just sending a bunch of postcards signed by me and by others. Just for a little added insurance.

And he rebuffed us. We were both so disappointed. He said, "You take care of your campaign and I'll take care of mine." The reason I mention that is that in a book about Rumford that came out later, I'm characterized as an arch-foe of Rumford who was fighting with him all the time. That just wasn't the case at all. I went out of my way to offer this help, and later I regretted that I didn't just do it anyway. Just send out a bunch of things. But you don't like to do it when the candidate says no. Because the margin was so small, and I'm convinced if he had let us go ahead and do it, it could have made the difference. It could have made the difference.

MORRIS: Lewis Sherman at that point--that was his first run for office?

PETRIS: Yes, that was his first run. Right.

MORRIS: So he didn't have that much . . .

PETRIS: He used to call himself "Landslide Lewis." [Laughter] He kidded himself about it.

MORRIS: Because of his close vote?

PETRIS: Yes. He served one term, then he was defeated by Holmdahl, and that was it. He went on the bench.

MORRIS: Right. At some point in there, did you think about retiring as the reapportionments became more contentious?

PETRIS: No, reapportionment never induced me to think about retiring. Other factors did. I thought about retiring sixteen, eighteen, twenty years ago. I never dreamed I'd be in here for a hundred years. Maybe ten or twelve years, and I'd go back to my private life. But every time elections came around, I seemed to say, "OK, one more time."

MORRIS: How has the way you managed your constituent relations and the concerns of your constituents--changed as your district has been rearranged? First you were countywide, and then your district moved north and took in part of Contra Costa County.

PETRIS: Yes, when I was countywide it was very tough. It was a schizophrenic thing because the Fremont area was very conservative. They're the Orange County part of our county. The camper set, we call them. It was very difficult to reconcile a vote in which South County says go one way, and the northern part says go another. Almost invariably, I went with North County. First of all because I agreed with them ideologically, and second

because that's where my strength was, anyway. People who really elected me were from North County. In fact, I never carried Fremont until Miles ran against me. Miles is a black guy, and they were voting against a black. They didn't vote for me. I was disgusted with Fremont. That's the only time they voted for me. I never carried Fremont except when he came along.

MORRIS: He was the Republican candidate?

PETRIS: Yes. It turned out he was under indictment on two different counts during the election. He was under indictment for rape and for some kind of a fraud and embezzlement in a real estate transaction. He was a broker. The [Oakland] Tribune looked at us both and said, "Well, one of them isn't any better than the other, so we're not endorsing."

MORRIS: Really?

PETRIS: Yes.

MORRIS: That's unusual.

PETRIS: The Tribune put me on the same level as the guy who was under indictment for those horrible crimes. [Laughter]

MORRIS: Oh, my. But, you know, looking at your clips in the Tribune, it looked as if there was a while in there, in the early '70s, when they did practically no coverage, and then about '76 all of a

sudden there's a lot of coverage. What was going on?

PETRIS: They've treated me very well ever since then. I don't know whether. . . . I think part of it had to do with [Senator William F.] Knowland himself. I don't remember when Knowland came back. When he took over the paper the paper's policy toward me actually improved. I don't remember the years. In the early years they were terrible on me. They never endorsed me, and they wouldn't run my stuff when I sent it in. They were very partisan.

MORRIS: But you had gotten to know Knowland somewhere?

PETRIS: Yes, I met him somewhere along the line, and we always had a good personal. . . . He always kept the door open when I wanted to go around to the paper to see him about some issue. Always friendly. I got along very well with him. I came to admire him. Never agreed with his ideology, but I admired him as a person. I learned some things about his policy at the paper that increased my admiration for him.

MORRIS: In what way?

PETRIS: Well, I learned about two or three cases of employees who came down with cancer. They didn't have adequate health coverage, and he just carried them right down to their death, full salary.

MORRIS: Really?

PETRIS: Yes. That's totally at odds with his image as a private employer with his right-to-work, anti-union stands and so forth. I was particularly impressed. . . . Now, of course, this is the highest level, but there's a young fellow that has been a friend of mine since childhood and who was his number one executive secretary, I guess you call it, when he was in the senate.

MORRIS: Paul Manolis.

PETRIS: Yes, Paul. You know Paul?

MORRIS: Yes.

PETRIS: OK. Paul served with him for a long time in Washington, and when he quit to come back home, he brought Paul along with him and made him assistant to the publisher.

MORRIS: And you and Paul Manolis were boyhood chums?

PETRIS: Oh, yes. Our families and everything. He lived in Sacramento and I lived down here. We were active in the Greek community. Our parents belonged to the same Greek-American organization; it was very active at the time. So I've known him ever since childhood. We've been close ever since.

MORRIS: Did you have the same political ideas?

PETRIS: Well, we did in the early days, but he became more and more conservative later. So we don't talk politics too much. But we're



very close personally.

Anyway, he told me the story of having gone on a trip on behalf of the paper. I don't know; he went to some--maybe a convention, or something. When he flew back to the Bay Area, the plane landed in a driving rain. So he got off the airplane and ran into the terminal, and ran right smack into Senator Knowland, who was standing outside with an umbrella. He says, "What are you doing here? You going somewhere? I didn't know you were getting ready for a trip." The senator says, "Well, you did this for me for many years. I just thought it only right that I be here to greet you."

MORRIS: Oh, my goodness. That's great.

Well, there are some reports that when Oakland began to open up and include some black people and some Hispanics in community decision-making, that Bill Knowland sat on the same committees and encouraged some of those early activities. Did you have any evidence of that? Was that true?

PETRIS: Yes. I admired him for that, and I admired him for the fact that he had come back from the top of the world. He was a U.S. representative to the United Nations; he was a minority leader--majority leader for a brief time under [President Dwight D.]

Eisenhower. He comes back to Oakland and he gets on local committees. He joins the chamber, he's very active. He's not saying, "Look, I just came back from Mount Olympus. I've done my thing. I'm going to work for the newspaper, period." I really admire the way he got into the local volunteerism, so to speak, and went right to work as a local citizen, which I think says a lot about the man's devotion to his community. I really thought that was marvelous, and I commented on it many times to other people.

I remember. . . . Now, of course, this wasn't. . . . I don't know who the heck was responsible for this. I was very active in housing for the poor, long before I went into the legislature, and I carried a lot of legislation on that. I was chairman of the citizens' committee; I forget what we even called it. It was a citizens' committee on housing for the poor. We met frequently and did a lot of work. We did surveys, we called on the city council to do things to improve housing, expand the housing. Of course we sponsored an initiative . . .

MORRIS: State or city?

PETRIS: City, to create more public housing in the city of Oakland. And that ran counter to a statute that the real estate industry had

managed to get enacted, that was strongly against any public housing and required a citywide vote in any city before a public housing project could be undertaken. We went to the Trib, and they agreed to support that initiative, and that's what made the difference. It was enacted.

Now, I don't remember what role, if any, the senator played in that, because he was still in the senate at that time. But it seems to me that we talked to him. He must have been. . . . I think he was home in between sessions or something, and there were two or three of us who went together. One of them is still very active in the programs for the retired, for the seniors. Can't think of his name, now.

At any rate, the Tribune supported it, and I always attributed the success of that election to the Trib support. Because there was still a lot of antipathy that had been churned up by the real estate people against expanding public housing. We desperately needed more, and we got it.

MORRIS: That's before the Spanish-Speaking Unity Council began their low-cost housing program?

PETRIS: Oh, yes. Way before that.

MORRIS: This was before you were in the legislature.

- PETRIS: Yes. One of the persons who was active in that was Isidor Calderon, who was active in the Spanish-Speaking Council later. He was vice-chairman of that committee. I was chairman. It's a citizens' committee. He's not the one I was thinking of. There's another one who's still around.
- MORRIS: Is Mr. Calderon still around?
- PETRIS: Yes. I've seen him within the past year. I don't see him nearly as often as I used to.
- MORRIS: OK. But he's still based in Oakland?
- PETRIS: Yes, he's still in the Oakland area, yes.
- MORRIS: Because his name has popped up in various connections.
- PETRIS: Is that right? He's a very active, a very nice man. He's not from Mexico; he's from one of the other Hispanic countries. I don't know where.
- MORRIS: Central America?
- PETRIS: Maybe Central America, or maybe Puerto Rico.
- MORRIS: Going back to Sacramento, there was a report in the Tribune files that in December of 1976, you were seeking the chairmanship of the Senate Finance Committee.
- PETRIS: Yes, that was a tactical thing. I had no interest in being chairman of Finance. In the senate, I've shunned chairmanships altogether.

I had a lot of time as chair in the assembly. I wanted to do other things. But what happened there. . . . I forget who the chairman of Finance was.

MORRIS: That was when Bielensohn was . . .

PETRIS: I think it was Bielensohn. Bielensohn was chairman. He was a very good chairman. He went to Congress. That left an opening. Alquist promptly claimed the territory. And as I said. . . . I said this on the senate floor just this year, when we had a memorial resolution for his wife [Mae Alquist], who had just died. She died of cancer, and they were married fifty-three or four years. It was a wonderful relationship.

MORRIS: Mai?

PETRIS: Yes, Mai. In praising her, I mentioned that I was so happy when we kissed and made up, because we had had a falling-out when I made a move to block the appointment of Alquist as chairman of the Senate Finance Committee--and Alquist is sitting there; this is a public session on the senate floor--because I thought that Alquist was getting much too conservative and much too crotchety to run that committee, as much as I dearly loved him.

MORRIS: This was fifteen years ago you said this about him?

PETRIS: No, I just said it now. Oh, I said it then, yes. In talking to the

leadership about the. . . . That's why they went to [Senator] Albert Rodda, as a matter of fact. I persuaded them to go for Rodda. And Rodda was a very good chairman. He had seniority on Alquist, anyway. But then we don't go by seniority altogether, just partly.

So when I made that speech on the floor--and this is the point of the story--Mai got very angry at me, and she was angry at me for a long time. But happily, we eventually kissed and made up. Later, Alquist did become chairman of Finance. And, indeed, he was very conservative and crotchety. [Laughter] I said he was still too conservative and crotchety for my blood, and everybody laughed because it was offered in a different spirit at that time. [Laughter]

Anyway, in order to make the move and gain time to persuade Rodda, because he had been asked and he had said no before, so he was in the minds of the leadership . . .

MORRIS: But he wasn't in the press, apparently.

PETRIS: No, I guess that hadn't come out, at least not here. Maybe the Sacramento Bee covered it. I'm sure they must have had some stories on it. So I offered myself as a candidate, because as far as seniority goes, I was two or four years longer than Alquist in the

legislature, and I had served on the Ways and Means Committee in the assembly, and I had served on the Finance Committee in the senate. I said, "Well, if Rodda doesn't go, then I will go. I think it would be a bad mistake to go for Alquist." We went back and forth in the inner councils as you do on things like this and, sure enough, Rodda was appointed.

I really had no desire to be the chairman. I was just using that as a . . . That's why I said it was a tactical thing. I would have been very surprised. . . . Maybe not so surprised, but very perplexed if I had been told, "OK, you be the chairman. That's it!" [Laughter] In fact, I think I was told that, and I said, "Wait a minute, let's keep working on Rodda." Rodda was reluctant to leave Education, which was his field, see? But he did it, and it worked out. I think he was a good chairman.

MORRIS: What explanation do you have for somebody who comes out of the labor movement, like Alquist, becoming "crotchety and conservative"?

PETRIS: Well, it's part of human nature. As you grow older you get more conservative. He's not conservative in everything, just pockets, but some of those pockets were very important. Some of Alquist's bills and votes on social legislation are magnificent, but I just felt there

were certain areas where we would be either frozen or moving back. Now I couldn't tell you what those areas were, but to me they were very important at the time. Because the Finance Committee chairman plays a very big role in which bills survive. A lot of the members follow the chair. If the chair has strong feelings and makes them known, they'll go with him if they don't have any particularly strong feelings. So he's in a position to kill some really good legislation.

MORRIS: At the funding level?

PETRIS: Yes, at the funding, right.

MORRIS: Even if it's sponsored by the policy committee.

PETRIS: Right, at the funding level. You knock it out at the fiscal committee, and it's gone. But that doesn't detract from his overall stature and service. I think he's one hell of a good senator. I think he's one of the best we've had. I wasn't opposing him on a lot of his bills. He's done some marvelous work. He's carried community college legislation, and seismic safety, and a whole host of things. A wide range of subjects. He's really very good. But he's also become more and more conservative, which is all right. It's his age, I guess.

MORRIS: Like you, he's been in the legislature long enough to have seen



some major changes just in the quantity of the budget and the quantity of state programs.

PETRIS: Makes you want to put the brakes on sometimes.

MORRIS: I guess that's a question I thought of in regard to doing what needs to be done to repair things after the earthquake. Does that involve some priority questions too, as to . . .

PETRIS: Sure. That's going to be part of the discussion up there.

MORRIS: I would imagine that people would come in, and everybody who needed a new roof on a public building is going to say it was damaged in the earthquake. How do you make those decisions between highways and public buildings?

PETRIS: It's not going to be easy. Not going to be enough money to go around. A lot of that's going to be strung out over a long period of time. We've been so stingy in the budget, in the education part of it, with which I have some familiarity. You're familiar with this deferred maintenance?

MORRIS: I've heard that ever since I went to local school board meetings.

PETRIS: Proper maintenance is extremely important, and it's more economic to do the annual maintenance and do it properly than to keep deferring it and waiting until the building collapses on you, where maintenance now becomes structural change. But we have

deferred and deferred and deferred.

If you look at the numbers, which I don't recall offhand, but they're hundreds of millions of dollars of arrearage in maintenance for the U.C. system, the Cal State [California State University] system, the community college system, and the K through twelve, at all levels. We're way, way, way far behind. I think that's a very bad way to do business. I think we should provide the money every year to do the normal maintenance. Listen to our people who are in charge of maintenance, who are pleading with us. That's where we try to save money. We save it in the short run and pay more in the long run.

MORRIS: Observing the U.C. Berkeley campus, part of that discussion went on for years and years, and then at some point the thinking in the university seemed to turn around, and at least on the Berkeley campus, they went out and started raising large chunks of private and foundation money, and shifting the financial balance between how much they got from state funding and how much from other sources.

PETRIS: Yes, they've done a great job on that. It's staggering, the amount of money that the alumni come up with. And others. It's just amazing.

MORRIS: Is that change in the funding pattern going to have an effect on conversations between the legislative finance committees and the university management?

PETRIS: Well, it'll have some impact, depending on who the members are. In my own case, I don't think we should use that as a reason for denying the funds. I think we should. . . . That's what Reagan used to do. He would encourage people to contribute, and then he would deduct that from the budget. If the budget was X dollars, and somebody came up with Y, then he would take that contribution and consider it part of the budget, and remove an equal amount from that budget, make it X minus Y. He did it over and over again.

MORRIS: Really?

PETRIS: Yes. He did it out here; we have a school for boys out in East Oakland, for delinquents, actually. Now I've forgotten the name of it. I worked closely with them for years. Got extra money for them every year, for year after year.

MORRIS: Is that the one that [Robert] Bob Shetterly helped get started?

PETRIS: No, that's East Oakland Boys' Club. No, this is a totally different one. It's closer in, and it's a live-in situation. Isn't that strange-- now I can't think of the name. My age is showing too. But at

any rate . . .

MORRIS: No, it's just that you have a lot of activities going on.

PETRIS: We had vigorous leadership in that group. They're all volunteers, and they had paid staff, of course--the president who ran it. They went out and hustled the community, and got some pretty good contributions. Reagan promptly lopped off an equal amount, and said, "Well, you're getting help from the public, so you don't need this money." I mean, that's always over and above, you know. He did it in a lot of situations. Just a terrible way to do things.

MORRIS: How about Jerry Brown? He . . .

PETRIS: I don't remember him doing that in that specific way. He was very stingy with the budget, too. He had this "small is beautiful" stuff. My big fights with Jerry Brown were the medically indigent and the displaced persons. I've tried every year to get more money for the medically indigent and for the home-supportive services that would really save us money. A few dollars a month to have in-home care, as against institutional. He was always pleading poverty. I never made much headway with him on those things. Had a lot of fights with him on that.

MORRIS: Was it the overall cost of the state medical aid programs that was . . .

PETRIS: Well, that was part of it. He just said we're living in difficult economic times and we just don't have the money. He didn't quarrel about the merits. He said hopefully next year and next year.

MORRIS: Was there any possibility of shifting the money within the overall medical budgets from . . .

PETRIS: Well, they're constantly doing that.

[End Tape 12, Side A]

Transcribers: Shannon Bermudez

Elizabeth M. Kim



Holiday greeting  
card from Senator  
and Mrs. Petris,  
1988.

## VILLAGE FLAT BREAD

Propira

*From Cousin Elenitsa*

- 4½ cups white flour, sifted
- 1 cup whole wheat flour, sifted
- ½ cup wheat germ
- ½ teaspoon salt
- 1 teaspoon anise seed
- 1 tablespoon honey
- 2 tablespoons Olive Oil
- 1 package dry yeast dissolved in 1 cup warm water, let stand 10 minutes
- 1¼ cups of warm water
- Extra Olive Oil, Oregano

Combine white and wheat flours, wheat germ, salt and anise seed. Make a well and add the honey, oil, yeast and 2¼ cups warm water.

Mix dough and knead. If dough feels sticky add a little more flour. If dough feels too dry add a little more water. Cover and let rise about 2 hours. Knead again.

Grease 16 x 11 pan, or a large cookie sheet or jelly roll pan lightly with oil. Place dough in pan and press to cover pan, making sure the corners are covered. Fingertips will leave small indentations. Brush on olive oil, shake salt on top (optional) and sprinkle Oregano over all. Let stand 10 minutes. Bake at 350 for 45 minutes.

Anna S. Petris

## CHRISTMAS

1988

Καλά Χριστούγεννα

*Let my voice ring out and over the eart.  
Through all the grief and strife  
With a golden joy in a silver mirth,  
Thank God for life!*

— JAMES THOMSON 1834-188

HAPPY HOLIDAYS

*Senator and Mrs. Nicholas C. Petris*

TO A FALLEN EAGLE

My Colleagues, and Friends:

Each of us is here at this hour to pay tribute to a fallen Eagle. He is our beloved friend and brother, colleague and counselor, Robert W. Crown. Some of us knew him only for a short interval, others for many years. I was privileged to have met him in high school days -- thirty-four years ago -- when we were student body presidents of our respective schools. In the intervening years I came to know him and love him like a brother. He was my mentor and benefactor.

Bob Crown challenged life and soared into its loftiest heights with a gusto and grandeur which most of us only dream about. His middle name was COURAGE. Where other men hid under a bush, to await the passing of a storm, he flew into the clouds of controversy. He defied the arrows of arrogance. He spread his majestic wings to protect the persecuted, to defend the defenseless, to give hope to the hopeless and to lead the leaderless.

COURAGE. DEVOTION. LOYALTY. HONESTY. LOVE.

These were all his trademarks.

As Ted Kennedy said about his brother Robert, "What he leaves us is what he said, what he did and what he stood for."

Bob Crown's monuments are all about us today. He was not afraid to stand up and be counted, even though he might stand alone. Grover Cleveland once asked "What's the use of being elected and re-elected unless you stand for something?" Bob understood this. And he stood for the ideas which ennobled all of us and brought out the better angels of our nature.

He loved people. He loved to serve them. He loved to lead them. He loved his city, Alameda and the Golden State and the nation to which he gave so much. He was proud of his Jewish heritage. He made his pilgrimage to Israel as soon as conditions permitted him. He was acutely conscious of the suffering and persecution of the Jewish people throughout the centuries. His sensitivity made him an extraordinary champion of the victims of oppression -- everywhere.

His legislative program is too long to enumerate here. We in the Legislature heard his voice raised clearly like a trumpet summoning us to help the suffering little crippled children, and recalling us to action again and again when the first battle was lost; we heard him sound the alarm against the terror of the midnight raids on the poor, and, responding, we helped him drive the New Inquisition back into the shadows; we followed him to this lovely State Park and Beach where all the people would seek the smile of the sun; he led us under the water as well to build a new life-



line between his beloved Island City and Oakland; and he took us to the surface to establish the San Leandro Marina where thousands of weary mortals could enjoy the God-like recreation of sailing.

We watched him in awe as he often stood alone, like Horatio at the Bridge, to confront the Barbarians of our time -- the self-appointed censors, guardians of our thoughts and morals, manglers of our First Amendment; others were well-meaning but misguided keepers of the peace who would make their work easier by pulverizing the Fourth and Fifth Amendments and otherwise trampling upon the Bill of Rights. We breathed a sigh of relief that Bob Crown was there -- this IRON EAGLE who could take so much heat -- and who absorbed it for all for us. How many later wished that they had picked up their shields and swords and rushed to his side.

Long before we sent our legions to Indochina he pleaded for a more balanced economy in California -- for less swords and more plowshares -- and he gave us the new Economic Development office and the Office of Tourism beckoning to people everywhere to visit and enrich our Golden State.

He led us through a storm of Reapportionment with the skill and daring of a Lord Nelson. He infused the annual battle of the budget with eloquent pleas for people, translating dry statistics into genuine human needs. He came

through these encounters with dignity and a reputation for fairness to all his colleagues of both political parties: Firm but fair. And above all -- honest.

Above all honest - the supreme accolade for a politician freely accorded by constituent and colleague alike.

For those of us who knew him well and worked with him, it is not necessary to recite further the long roll call of his accomplishments. For those who knew him at more of a distance we are reminded that wherever you are, you have been touched by his deeds:

Are you elderly? Are you poor? Are you Black? Are you Chicano? Are you unemployed, unskilled, unlettered? Are you a child? Are you a police officer? a parolee? a student? a teacher? a labor leader? Are you a newspaper publisher? a farm hand? a factory worker? a mechanic? a war veteran? Are you a corporation executive? a welfare recipient?

No matter who you are, he has helped you.

For he was a man who drank deeply from the springs of life -- but was never able to quench his thirst. Time was never heavy on his hands. Lord Tennyson's famous inquiry would not be directed to him:

IF TIME BE HEAVY ON YOUR HANDS  
ARE THERE NO BEGGARS AT YOUR GATE?  
NOR ANY POOR ABOUT YOUR LANDS?

We shall remember that he was a noble giant, using the power of his office to improve the lot of his fellow man. We shall remember that he was a gentle giant, ever mindful of the admonition of Shakespeare, whom he loved, and read and read and read with his voracious appetite for great books:

OH, IT IS EXCELLENT  
TO HAVE A GIANT'S STRENGTH;  
BUT IT IS TYRANOUS  
TO USE IT LIKE A GIANT.

(Measure for Measure)

And if anyone, in or out of the Legislature, was deeply committed to fight against tyranny, it was Bob Crown. His knowledge of history commanded it. As a lawyer, his respect for the law confirmed it. This is especially true in the question of due process of law. He realized that it is perhaps "the noblest concept in the long history of law and one so important that it can be equated with civilization, for it is the very synonym for justice" (Commager).

"What is the most precious thing in the world?" Alexander Solzhenitsyn asks in The First Circle. "Not to participate in injustices," he answers. "They are stronger than you. They have existed in the past and they will exist in the future. But let them not come through you."

Bob Crown never let injustices come through him. And he devoted his life to a guarantee that they would not come through others.

Some felt that he went overboard on this subject. That it had become an obsession. If this be the case, then what a magnificent obsession. And how lucky for all of us!

How lucky for us that Bob Crown, that marvelous combination of the man of thought and the man of action chose his heroes so well. He chose John Stuart Mill, who wrote a century ago:

A STATE WHICH DWARFS ITS MEN IN ORDER THAT THEY MAY BE MORE DOCILE INSTRUMENTS IN ITS HANDS...WILL FIND THAT WITH SMALL MEN NO GREAT THING CAN BE READILY ACCOMPLISHED.

He chose a fellow historian Prof. Henry Steele Commager, who wrote:

"...IF YOU INTERFERE WITH ACADEMIC FREEDOM IN ORDER TO SILENCE CRITICISM, OR CRITICS, YOU DO NOT RID THE UNIVERSITY OF SUBVERSION. IT IS NOT IDEAS THAT ARE SUBVERSIVE, IT IS THE LACK OF IDEAS. WHAT YOU DO IS TO SILENCE OR GET RID OF THOSE MEN WHO HAVE IDEAS, LEAVING THE INSTITUTION TO THOSE WHO HAVE NO IDEAS, OR HAVE NOT THE COURAGE TO EXPRESS THOSE THAT THEY HAVE..."

We honor him for the heroes he chose and for the deeds which they inspired in him and for the hero they made of him in turn. He admired Jefferson and Lincoln and Alexander and Aristotle -- men who moved the world -- and in our own time Robert Kennedy with whom he deeply believed that:

"FEW WILL HAVE THE GREATNESS TO BEND HISTORY ITSELF BUT EACH OF US CAN WORK TO CHANGE A SMALL PORTION OF EVENTS...IT IS FROM THE

NUMBERLESS DIVERSE ACTS OF COURAGE AND BELIEF THAT HUMAN HISTORY IS SHAPED. EACH TIME A MAN STANDS UP FOR AN IDEAL, OR ACTS TO IMPROVE THE LOT OF OTHERS, OR STRIKES AT INJUSTICE, HE SENDS FORTH A TINY RIPPLE OF HOPE, AND CROSSING EACH OTHER FROM A MILLION DIFFERENT CENTERS OF ENERGY AND DARING THOSE RIPPLES BUILD A CURRENT THAT CAN SWEEP DOWN THE MIGHTIEST WALLS OF OPPRESSION AND RESISTANCE...

"FEW ARE WILLING TO BRAVE THE DISAPPROVAL OF THEIR FELLOWS, THE CENSURE OF THEIR COLLEAGUES, THE WRATH OF THEIR SOCIETY. MORAL COURAGE IS A RARER COMMODITY THAN BRAVERY IN BATTLE OR GREAT INTELLIGENCE. YET IT IS THE ONE ESSENTIAL VITAL QUESTION FOR THOSE WHO SEEK TO CHANGE A WORLD THAT YIELDS MOST PAINFULLY TO CHANGE. AND I BELIEVE THAT IN THIS GENERATION THOSE WITH THE COURAGE TO ENTER THE MORAL CONFLICT WILL FIND THEMSELVES WITH COMPANIONS IN EVERY CORNER OF THE GLOBE..."

Bob Crown entered the moral conflict many years ago, and we here in this hour are some of the many companions he inspired. I am proud to have been one of them.

In thinking of Bob Crown at this hour I offer a tribute from Stephen Spender:

I THINK CONTINUALLY OF THOSE WHO WERE TRULY GREAT  
THE NAMES OF THOSE WHO IN THEIR LIVES FOUGHT FOR  
LIFE,  
WHO WORE AT THEIR HEARTS THE FIRE'S CENTER  
BORN OF THE SUN THEY TRAVELED A SHORT WHILE  
TOWARDS THE SUN  
AND LEFT THE VIVID AIR SIGNED WITH THEIR HONOR.

## COMMITTEES

LABOR, CHAIRMAN  
REVENUE AND TAXATION  
LEG. ORG. (JOINT RULES)  
NATURAL RESOURCES  
WATER RESOURCES

NICHOLAS C. PETRIS  
ELEVENTH SENATORIAL DISTRICT  
ALAMEDA COUNTY

CALIFORNIA LEGISLATURE

Senate

THE FOLLOWING LETTER WAS SENT TO NEWSPAPER EDITORS BY STATE SENATOR  
NICHOLAS C. PETRIS:

April 26, 1973

Dear Editor:

In the current agony over the Watergate scandal, let me raise a question which has not been asked: Why all the solicitude toward Richard Milhouse Nixon? Even the most vociferous critics of the gangster tactics emanating from the White House are quick to shield the President.

I remember enough about Mr. Nixon's political methods to balk at absolving him. In fact, it would not surprise me if it did turn out that he not only knew in advance, but that he was one of the architects of the whole disgraceful episode.

Why? Because his "instinct for the jugular" has always been his campaign style. Because the Watergate kind of thing is characteristic of his ethical level. The only philosophy which has been clear and consistent throughout his entire political career is: anything goes. Have we forgotten that this led him to brand Congressman Jerry Voorhis a Communist? Have we forgotten that he used the same shameful tactics on Congressman Helen Gahagan Douglas, distributing her voting record on pink paper, rigged in such a way as to portray her as a communist or fellow traveler?

And what about his betrayal of Governor Earl Warren (who refused to speak to him for years after) in the 1952 Republican convention, when he left — ? the California delegation's special train to fly to Chicago and make his deal with Eisenhower, at a time when Mr. Nixon and every California GOP delegate were pledged to Governor Warren? (Senator Knowland, acting honorably, turned down overtures from the Eisenhower camp because of his commitment).

Have we forgotten that Mr. Nixon called President Harry S. Truman a traitor who "knowingly promoted a Communist spy to high office in the U.S. Government"? Have we forgotten that he called some of Adlai Stevenson's proposals (which he later adopted himself) as "traitorous" in the 1956 campaign and as "rot-gut thinking" in the 1958 congressional elections?

April 26, 1973

These and many other vicious falsehoods were hurled against great Americans by Mr. Nixon on the way up. He used them, not because he believed them, but because he thought the climate made them acceptable to the people.

So whether or not he actually engineered the watergate burglaries and the plans to sabotage and destroy the Democratic Party, his hirelings, taking pages from his own career, could easily have decided that the way to make points with the boss is to kick the other fellow in the groin, so they kicked and kicked and kicked.

And then to make it worse, he has masterminded a massive coverup which didn't succeed, thanks to the courage of some reporters from the hated media who kept digging in, in spite of the most incredible pressures and the consistent brazen denials.

For many years people will be asking "Why?" in view of the gigantic lead he enjoyed in the polls from the start. Was the Nixon committee seeking total destruction rather than just victory? Were they carrying out the Nixon vindictiveness against the Democrats in the same way Nixon/Agnew did it against the press to the point where the first Amendment is now in the greatest jeopardy since the Alien & Sedition Laws?

I dread it to see it, for the sake of our Country, for the sake of our young people whom we are trying desperately to dissuade from cynicism. But I'm afraid the finger points more and more to Richard M. Nixon.

Herein lies the real tragedy. Both for him and for the American people: that we permitted him to believe that "anything goes" is an honorable philosophy in politics by rewarding him twice with the highest honor in our power.

Now all of us, in a state of shock, recognize that it is NOT the American way and never was; that we have learned to expect something considerably more honorable and inspiring from our Presidents.

No, the end is not justified by the means. As Camus wrote "There ARE NO ends, there are only means." The trouble is that Mr. Nixon, in his fanatic drive to obtain and keep the Presidency, forgot that this exalted office too is only a means, not an end in itself. It is a means by which a noble person can do something decent and significant for our country, and for the world. Our great Presidents did this by appealing to "the better angels of our nature", as Walter Lippmann put it, not to our sordid and seamy side.

NICHOLAS C. PETRIS  
Senator, 11th District