

The attempted comeback of the GOP progressives

By ED SALZMAN

Although the overriding short-term factor in this year's state primary election is the indictment of Lieutenant Governor Ed Reinecke on federal perjury charges, future historians may be more interested in the attempted 1974 revival of the progressive wing of the Republican Party in California. But for Reinecke's difficulties, Republican voters would have a clear-cut choice June 4th between the Lieutenant Governor, carrying the banner of the conservative wing, and state Controller Houston I. Flournoy, who fits the progressive mold of Hiram Johnson, Earl Warren and Thomas Kuchel. Reinecke can hardly be counted out of the race, despite the indictment [see box] and despite the defection of traditional conservative contributors to Flournoy, who has locked up almost every big name in the Grand Old Party.

Even before Reinecke was charged by the grand jury in Washington, he was finding it impossible to organize a high-powered campaign. The conservative businessmen close to Governor Ronald Reagan, who had picked Reinecke for the lieutenant governorship, fled to Flournoy as the only candidate who could avert a GOP disaster in November. Most Republican candidates for other state offices (excepting only the most die-hard conservatives) say privately that they dread running on a ticket headed by Reinecke for fear that he would be easy pickings for the Democrats in November.

Nevertheless, Reinecke can hardly be counted out. He has a tremendous reservoir of strength among grassroots

Houston
Flournoy



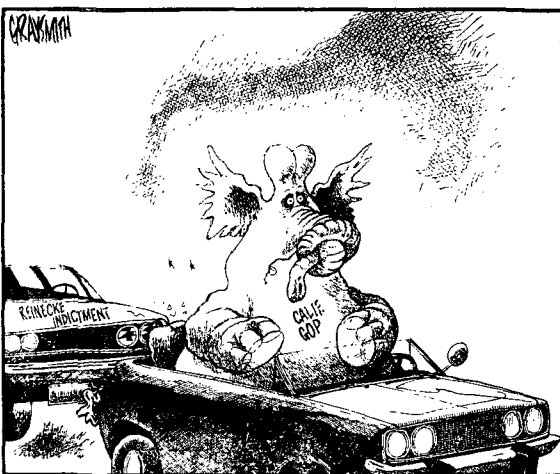
precinct workers, has won the endorsement of the California Republican Assembly, and is the favorite of other conservative political organizations. Many GOP workers feel that he is somehow being victimized by a plot hatched by such Democrats as U.S. Senator John Tunney and liberal Republicans. This feeling makes them all the more willing to go out and work for Reinecke — to vindicate him at the polls although they are powerless to help him in court.

Flournoy has working for him the obvious question that must nag every Republican, even the most ardent Reinecke supporter, as he or she walks into the voting booth on June 4th: What will happen to the Republican slate if Reinecke wins the nomination and is subsequently found guilty of perjury? Reinecke, who answered the charges with a plea of "absolutely not guilty", has an answer: The American system of justice requires that he be adjudged innocent until proven otherwise, and it would not be proper, therefore, to vote against him out of fear of a conviction. (It is possible, however, that a verdict will be handed down before the election.)

Progressive dynasty

While it is impossible to overlook the Reinecke indictment in any analysis of the gubernatorial primary, the Lieutenant Governor is, after all, just a passing figure in the political scene. But every history of California politics is keyed to the rise of the Progressive Republican dynasty started by Hiram Johnson and later led by such men as Warren, Goodwin J. Knight and Kuchel. These men were supported by members of both major political parties, primarily during an era of cross-filing, and they kept the Republican Party dominant through several decades.

The dynasty collapsed in 1958, when conservative William Knowland gave up his U.S. Senate seat to run for



TRUNKLASH

Graysmith, San Francisco Chronicle

Reinecke and his fateful testimony

When did Lieutenant Governor Ed Reinecke talk with former U.S. Attorney General John Mitchell about the ITT affair? And when Reinecke was testifying before the Senate Judiciary Committee, were senators asking him about face-to-face meetings with Mitchell, telephone conversations, or both? These two questions hold the key to understanding Reinecke's indictment on three counts of perjury last month by a grand jury in Washington, D.C.

Behind the perjury issue lies the allegation that ITT obtained a favorable anti-trust settlement from the Justice Department on July 31, 1971, after having pledged \$400,000 to help Republicans pay for the GOP national convention, then scheduled for San Diego. The grand jury accused Reinecke of lying to the Judiciary Committee in 1972 when he testified under oath that he had not discussed the ITT offer with Mitchell until September 17, 1971. The Lieutenant



Ed Reinecke

Governor subsequently acknowledged that he had discussed the matter with Mitchell several months earlier (before the anti-trust settlement was made). Reinecke said that these conversations were over the telephone and that he assumed that the committee members — notably Senator Hiram Fong, a Hawaii Re-

publican — were asking him only about meetings in Washington.

These are the pivotal exchanges on which the indictment is based:

Fong — So the only time you discussed the convention with Mr. Mitchell was in September after the ITT case had already been settled?

Reinecke — That is correct, senator.

Fong — Lieutenant Governor, so far as you know, nothing transpired . . . prior to September 17, 1971?

Reinecke — That is correct, sir.

Fong — Until after the ITT case had been completed?

Reinecke — Pertaining to the convention, that is right.

Fong — Prior to the settlement of the ITT case, no conversation was had by . . . you to anyone on the Justice Department that the ITT people had promised to do certain things in San Diego.

Reinecke — That is quite true.

governor and led almost the entire GOP ticket down to defeat. Only Kuchel was left holding a major office, and he was eliminated six years ago in the Republican primary by the conservative superintendent of public instruction, Max Rafferty. (Democrat Alan Cranston defeated Rafferty in the general election.) When the Republicans regained power in 1966, the progressive element was a shambles. The GOP was now run by the conservatives headed by Reagan, although Flournoy and a quasi-progressive, Robert Finch, were elected on the same ticket. Finch, who resigned as lieutenant governor to join the Nixon administration two years later, has attempted over the years to keep himself in the good graces of all elements of the party. Flournoy, who had been outspokenly anti-conservative early in his career, still remains clearly identified as a progressive.

Harmer vs. Veneman

The Flournoy versus Reinecke choice is only one of several decisions GOP voters will make this year between conservatives and members of the Johnson-Warren political family. The choice for lieutenant governor is clear: State Senator John Harmer of Glendale is probably more conservative than Reagan or Reinecke. His opponent, former Assemblyman John G. Veneman of San Francisco, was one of the progressive "Young Turks" who in 1965 ousted conservatives from control of the GOP minority in the Assembly. As an assemblyman and later as undersecretary of health, education and welfare (under Finch and Elliot Richardson), Veneman espoused legislation that has generally been opposed by conservatives.

Another "Young Turk", Assemblyman William T. Bagley of San Rafael, is running for controller. Bagley has diffused his liberal image considerably by acting as floor manager for some of the most important programs of the Reagan administration, especially in the field of taxation. His more conservative opponents are James L. Flournoy, unsuccessful GOP nominee for secretary of state four

years ago, and Marian W. La Follette of Encino, a Los Angeles Community College District trustee. Flournoy has going for him his last name — the same as the incumbent controller. La Follette's biggest asset is her sex in an era in which women are attempting to assert their political independence.

In the race for state treasurer, the leading candidate is John Kehoe, who served as director of consumer affairs in the Reagan administration. While Kehoe is fortunate not to have a progressive or conservative label, he served not too many years ago as assistant to a Democratic congressman, George P. Miller of Alameda County.

Trio of conservatives

The Republican contest for the right to face Cranston does not include anyone with progressive credentials. There are three conservatives, state Senator H. L. Richardson, former state Director of Veterans Affairs Johnny Johnson of Orange County, and Tom Malatesta, a Los Angeles businessman, plus Earl Brian, the young physician who served as Reagan's health and welfare secretary. Brian can hardly be called a liberal or a progressive, but he has shown an ability to work closely with people like Bagley and Democratic leaders in the Legislature.

City Councilman Mike Montgomery of South Pasadena has worked hard to promote himself as the most conservative among the candidates for secretary of state. His prime opponent is Brian Van Camp, who served as corporations commissioner under Reagan. Van Camp is not anxious to take on a label but he places himself to the left of Montgomery and concedes that he has built an organization based primarily on friendships (including perhaps a majority of Democrats) and not on political philosophy. Like Kehoe, he would fit on a ticket of progressives.

Former Assembly Speaker Bob Monagan, who came close to running for state treasurer after incumbent Ivy Baker Priest withdrew, said that one of the main reasons

he looked forward to the race was the opportunity to run on the same slate with such Young Turk buddies as Flournoy, Veneman and Bagley. He said he did not run because it was not a good calculated risk — which means that the road to victory appeared paved with too many obstacles.

GOP barometer

While the Reinecke-Flournoy race has been complicated to the extent that it will not be a good test of the philosophical mood of Republican voters, the entire statewide ballot could provide such a barometer. If the GOP were to nominate a slate consisting of Hugh Flournoy, Veneman, Bagley, Kehoe, Brian, Van Camp and incumbent Attorney General Evelle Younger, it would clearly signal the return of the progressives to control of the party. On the other hand, selection of a slate composed of candidates like Reinecke, Harmer, Richardson, Montgomery and La Follette or James Flournoy would demonstrate that the GOP voter is satisfied with the move to the right begun in 1958. Such a clean decision is unlikely to be made by the voters because campaigning ability and the personality of the candidates will play roles as important as political philosophy.

A mixed slate is probable, but even that would give the progressives a bigger piece of the action than they have had during the Reagan years.

Democratic campaigns

With the primary campaign heading into its final month, the Democratic race for the gubernatorial nomination has not changed from its start. Everyone still is chasing the front-runner, Secretary of State Edmund G. Brown Jr., some more aggressively than others. Assembly Speaker Bob Moretti counted all the candidates out except himself and Brown. And Moretti was counting on heavy support from public employees and minorities to bring him into close contention. The Speaker even went to court in an effort to embarrass Brown. At issue was the proposition pamphlet that will be distributed to all registered voters by the secretary of state. Moretti took offense at a one-page letter inserted in the pamphlet and signed by Brown describing the new format for the booklet. Moretti claimed the "love letter" was illegal and constituted, in effect, a free political promotion for Brown. The court rejected this contention.

Back in the pack, the heaviest blows of the campaign were being struck by Supervisor Baxter Ward of Los Angeles, but the unorthodox former television newscaster made Mayor Joseph Alioto of San Francisco his top target. Ward evidently figured that the Mayor was his prime competition for the votes of non-liberal members of the Democratic party. Some politicians, Moretti among them, claim that Alioto's campaign has been fatally wounded by the publicity surrounding his wife's 17-day disappearance, the strike by San Francisco public employees and the loss of key men in his organization.

Aside from Ward, the only big splash was being made by William Matson Roth, the University of California regent who is spending a potful of his own money to reach the public through a flood of media messages. The polls show that he has come about even with Congressman Jerome Waldie (who has suffered from a lack of funds but has managed to get a respectable press showing as a member of the committee studying possible impeachment of President Nixon) but has not made nearly enough progress to put Roth up with the leaders.

Other races

Most experts agree that, save for the governorship,



Jerry Brown



Bob Moretti

most voters don't decide how they will vote in the primary until the last two or three weeks of a campaign. But here are the early indications in the other Democratic races:

Lieutenant Governor. State Senator Mervyn Dymally of Los Angeles is the front-runner because he has been campaigning the longest and the hardest. John Merlo of Chico, long-time party leader, is attempting to sell himself as the northern candidate in the hope that the southern vote will divide sufficiently among the remaining seven candidates to get him the nomination.

Secretary of State. Assemblyman Walter Karabian of Los Angeles is the prime target because he has more money than any of the other candidates. But the two women in the race, Assemblywoman March Fong of Oakland and Cathy O'Neill, have a not-so-friendly rivalry of their own. And Herman Sillas, a Chicano leader, also cannot be counted out. This could be a close four-way race.

Controller. Supervisor Robert Mendelsohn of San Francisco had a head start on the field, but Assemblyman Ken Cory of Orange County is expected to be a fast finisher.

Treasurer. Former Assembly Speaker Jess Unruh apparently thinks that he can have the nomination for the asking, but Gray Davis, a political associate of Los Angeles Mayor Tom Bradley, may give him a tight fight.

Attorney General. This is the race that belongs in the Republican primary because it offers a contrast in philosophy between the liberal William Norris and the more conservative Vincent Bugliosi.

'11th commandment'

In general, the Democratic campaigns are much rougher affairs than the Republican contests. This is because the GOP has its so-called 11th Commandment ("Thou shalt not speak ill of any Republican"), and the Democrats have a tradition of internecine warfare. But there is another factor this year: The realization among quite a few Republican candidates that this is apt to be a Democratic year and that the GOP nomination isn't nearly the prize it would have been four or eight years ago. H. L. Richardson, for example, advises any gamblers in his audience to bet on his potential opponent, Alan Cranston, to win another six-year term. Democrats also sense that they may be about to return to power in California, and thus the competition for places on the ticket has become all the more intense.

Even the return of the once-bitter competition between the conservative and progressive elements of the Republican party has not produced much action in the GOP races. The progressives are not particularly anxious to raise philosophical issues (because of a string of recent failures in head-to-head competition), and the conservatives recognize that the GOP has enough problems, including the Reinecke indictment, without a return to the kind of battling — Rafferty versus Kuchel, for example — that has led to Democratic victories.

The persistent advantage of incumbents

Probably as a result of the court-drawn reapportionment, more California congressmen, senators and assemblymen face primary opposition this year than in any recent election. Of the 119 incumbents seeking reelection this year, 55 of them (or 46 percent) are not running alone for their party nominations. This includes 23 of 37 congressmen, five of 16 senators and 27 of 66 assemblymen. These figures are distorted somewhat because there is one race, in the 41st Assembly District, pitting two incumbent Republican assemblymen, Mike Antonovich and Newton Russell, against one another.

The figure of 46 percent is significantly higher than in any other election going back at least as far as 1960. Since that year, the most incumbents — 37 percent — were challenged in the primary of 1962, which also was the first election following a redistricting. The average number of incumbents challenged during the seven primaries between 1960 and 1972 was just under 30 percent.

An analysis of these seven elections shows clearly that Californians are not in the habit of rejecting incumbents through the primary process. Except for cases where redistricting forced incumbents to face each other, only nine congressmen and legislators lost their jobs in these seven primaries. Other findings:

- Not a single Republican state legislator was removed by primary vote during that time. And only one GOP congressman, John G. Schnitz of Orange County two years ago, lost in a primary.

- Invariably, those incumbents who are defeated come from districts that are safe for one party or the other, making victory in the primary tantamount to election.

- Challenges are usually most likely to succeed when the incumbent's age or race is an issue or where the incumbent has received adverse publicity. In three instances, black Democrats unseated white assemblymen.

By the numbers

Here is a year-by-year breakdown of the number of congressmen and legislators challenged and the incumbents defeated:

1960 — 21 of 118 challenged (18%). Senator J. William Beard of Imperial County lost to Aaron W. Quick.

1962 — 35 of 95 challenged (37%). Assemblyman Vernon Kilpatrick of Los Angeles was defeated by F. Douglas Ferrell.

1964 — 37 of 129 challenged (29%). Assemblyman Edward Gaffney of San Francisco was defeated by Willie L. Brown Jr.; Assemblyman John Moreno of Santa Fe Springs was defeated by Jack Fenton.

1966 — 31 of 88 challenged (35%). No incumbents were defeated. (State Senate races are excluded because a U.S. Supreme Court reapportionment decision forced many senators out of office and created several unusual races.)

1968 — 43 of 134 challenged (32%). Assemblyman Lester McMillan of Los Angeles lost to Henry Waxman.

1970 — 29 of 125 challenged (23%). Congressman Jeffery Cohelan of Berkeley lost to Ronald Dellums.

1972 — 42 of 124 challenged (34%). John Schmitz was defeated by Andrew Hinshaw; Congressman George P. Miller of Oakland was defeated by Fortney Stark; and Assemblyman David Pierson of Inglewood was defeated by Frank Holoman.

June outlook

What's the outlook for the June 4th primary? The congressional primaries, if anything, look milder than normal, despite redistricting. The Senate has the usual couple of interesting contests, but the Assembly is loaded with potential trouble for incumbents. As usual, liberal Republican Congressman Paul N. McCloskey of Menlo Park faces well-financed opposition from a conservative businessman, Gordon Knapp of Atherton. Democrat George Danielson of Monterey Park faces his traditional Mexican-American challenge, but he is not considered to be in danger. Republican Victor Veysey was forced to move north from Imperial County to Claremont in Los Angeles County because of redistricting, but is not facing a stiff primary fight.

Only two state senators look like possible primary election losers — Republican Peter Behr of Tiberon, who faces conservative opposition from Supervisor Bob Theiller of Sonoma County, and Democrat

Ralph Dills, who has two opponents who cannot be taken lightly, Robert Pauley and Ross Miller Jr. Buzz Pauley, son of oilman Ed Pauley, is running an aggressive campaign. Miller is a Compton councilman.

Assembly breakdown

In addition to the Antonovich-Russell contest, here is a rundown of other endangered assemblymen:

District 4 — Incumbent Democrat Ed Z'berg of Sacramento, vulnerable from a drunk-driving conviction and subsequent brief jail term, could be beaten by the aggressive campaign of attorney Joseph Genshlea.

District 5 — Incumbent Democrat Walter Powers of Sacramento was stung when the important labor endorsement went to his prime opponent, Supervisor Eugene Gualco of Sacramento.

District 7 — Freshman Republican Doug Carter, running in some new territory, has attracted five primary opponents. His district includes the Gold Rush country east of Sacramento, where residents look their candidates over closely.

District 16 — Democrat John Foran of San Francisco faces a challenge from a Catholic priest, Eugene Boyle, and the race could be close.

District 27 — Freshman Democrat John Thurman of Modesto is up against the man he replaced in the Assembly, Ernest LaCoste (who ran unsuccessfully for the state Senate two years ago).

District 61 — Veteran Republican John L. E. Collier of Monrovia faces a tough opponent, Don Decker of San Gabriel.

District 66 — Health problems and adverse publicity have endangered Democrat John Quimby of San Bernardino, and he is under attack from Terry Goggin, aide to Congressman George Brown, Councilman Norris P. Gregory of San Bernardino, and Mike Valles, once Quimby's aide.

District 70 — His current district shredded by redistricting, conservative Republican Floyd Wakefield moved from Los Angeles County to Orange County to keep his career alive. He has four opponents, including Bruce Nestande, who has plowed the territory in previous campaigns against Democrat Ken Cory. 🏠

California NEWSBRIEFS

State taxes Nixon on 1969-72 earnings but sees no fraud

President Nixon has been billed for more than \$5,000 in California income taxes for the years 1969-72. The actual tax owed, according to the state Franchise Tax Board, was \$4,263, but interest on that sum, calculated at a rate of six percent a year plus a penalty fee for failure to file a 1970 return are estimated to add about \$1,100 to that figure. The President's representative, Dean Butler of Los Angeles, said the sum would be paid promptly.

Nixon's allowable deductions were sufficient to wipe out the President's state tax obligation for 1971 and 1972, the board reported, but there was \$55,533 in taxable income in 1969. The tax on that sum was \$4,107, and Nixon paid \$156. Many of the deductions were for interest paid on the President's debts — \$92,955, for example, on his San Clemente property in 1970.

The executive officer of the state board, Martin Huff, said the President's failure to file in 1970 "is not necessarily a criminal matter if he didn't believe he had a requirement to file . . . There has to be some evidence or indication of wilfulness, and all the evidence was the other way around."

Odd-even gas sales end as last of nine counties lift limit

When Los Angeles and Ventura counties decided April 17th to let motorists buy gasoline on any day regardless of their vehicles' license number — if they could find the fuel — the so-called odd-even sales plan came to an end in California. Nine counties had opted for the limitation on sales as a way of curbing what Governor Reagan called panic buying of fuel. The others, which had earlier quit the system, were Orange, Riverside, Santa Clara, San Mateo, Solano, Alameda and Contra Costa counties.

Consumer group backs initiative to have PUC watch oil companies

The California Consumer Federation, which claims to represent some 200 consumer and labor groups, has endorsed Senator James Mills' initiative to put certain retail gasoline sales under the regulation of the state Public Utilities Commission. The measure aims at limiting the amount of gasoline that can be sold through service stations owned by the oil companies. This would enhance the competitive position of the independent dealers who buy their stocks from the major oil firms, the proponents say. Some independents, forced out of business by dried up supplies, have charged the companies' with trying to eliminate non-company outlets.

To make the November ballot, 325,504 signatures of registered voters must be compiled by the end of May; if that deadline is missed, however, proponents will have until July 19th to qualify the initiative for the next statewide election, most likely in 1976.

Governor's appointees complete new advisory Commission on Aging

Governor Reagan announced his nine appointments to the new 15-member California Commission on Aging April 4th — three months after the panel was to have begun operation and less than a week after having been criticized for the delay. The commission was created by the 1973 Legislature to advise the Reagan administration and the state Office on Aging, which proposes state policies and programs for the elderly. Its other six members are selected half by Assembly Speaker Bob Moretti and half by the Senate Rules Committee. The commission was to have begun work January 1st.

"It disturbs me no end that the Reagan administration has delayed making these appointments," said James Carbray, vice president of the National Council of Senior Citizens and one of Moretti's appointees. "For three months, we haven't been able to take action which could benefit the two million elderly people in California." When he made his criticism March 28th, Carbray also charged the administration with developing policies affecting the elderly without benefit of the commission's advice. "It seems to me we have the cart before the horse," he said. (A Reagan aide responded at the time that the Governor was awaiting recommendations from "officials concerned with the problems of the aged.")

The appointees: *Speaker Moretti*: James Carbray, Whittier; Samuel Kolb, Los Angeles; Isabel Van Frank, Berkeley. *Senate Rules*: Wallace Enrich, Fresno; Mishel Piastro, Spring Valley; Cora Cocks, Long Beach. *Governor Reagan*: Carroll L. Estes, San Francisco; Eleanor Fait, El Dorado Hills; William C. McColl, Sun City; Wayne A. Neal, Palm Springs; Roger S. Watson, Huntington Beach; Paul Cowgill, San Bruno; Ruth Green, San Diego; Archer Kirkpatrick, Corning; Charles H. Lavis, Berkeley.

State Supreme Court says federal council can't block pay raise

State workers won a major victory last month, when the California Supreme Court ruled that the federal Cost of Living Council lacked authority to block salary increases granted by the Legislature. The U.S. government could seek a federal court injunction to block the state's payment of the higher wage back to last July 1st — a cost estimated at \$83.4 million.

Under the 1973-74 budget, employees were allocated an average salary increase of 11.5 percent. The Cost of Living Council trimmed this back to 7 percent based upon federal anti-inflation guidelines. State employees challenged the ruling in seeking to recover the additional 4.5 percent.

The California Court, in a 4-3 opinion written by Justice William P. Clark and concurred in by Justices Louis H. Burke and Marshall F. McComb, held that Congress had not intended, in its authorizing legislation, that the council regulate internal affairs of the states. A separate concurring opinion was written by Justice Stanley Mosk. Chief Justice Donald R. Wright and Justice Raymond L. Sullivan signed one dissenting opinion, and Justice Mathew Tobriner authored another.