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Bob Brown: This is Bob Brown, and I'm at the Mansfield library at the University of Montana in Missoula, today interviewing state representative, or former state representative Jerry Driscoll, who served, I believe 12 years in the legislature including as a majority floor leader in the House of Representatives. Today is January 23, 2016. Jerry, what are your...maybe I should ask you, what's your birthdate? When and where were you born?

Jerry Driscoll: My birthday is November 5, '44. Born in Billings, but we lived in Huntley, which was 15 miles east.

BB: So, were you a farm kid?

JD: My dad, at the time, was a, he worked at the Experiment Station on dairy cattle, and then he bought a dairy farm in Billings when I was 6. So from then on I was a farm kid, yes.

BB: So, you did farm chores. I mean—

JD: Yes.

BB: But you're, of course, best known in Montana politics for being a labor leader. So that's a little bit unusual. But before we get into that, when did you first discover an interest in politics?

JD: First discovered...When I was 18, 19 years-old, Mom and Dad were pretty active in the party and they used to have a Democratic dinner club, I think it was the first Tuesday of each month, and we'd go to that.

BB: Now, how did that happen? I mean not every family is active enough to go to a political party dinner club. There must have been—

JD: Well, the dinner club was just people—whatever wanted to show up and pay three or four bucks for dinner, and then there'd be a guest speaker. So, anybody who showed up was welcomed. There would probably be 100, 150 there on a big night of just more politically active people.

BB: But what made your parents politically active people?

JD: The Depression, my dad said, and Franklin Roosevelt and Harry Truman.

BB: I see, yes. Do you remember political discussions with your mom and dad when you were a kid?

JD: Not so much, except...Well, I'll tell you a story about when I...See, in those days you had to be 21 years old to vote, and Yellowstone County had those machines where you pulled down this little lever, and it put an X, Democrat or Republican. Then when he was done voting, it closed the...or, he opened the curtain with this lever, and then it recorded everything. Well, when I was...I mean, Dad says you're going to register to vote, and you're going to vote. Yes, okay, no problem. And then he shows me this machine. They had a little trial machine at the courthouse, how to do it, which was not that complicated, but. What you did is you between your thumb and little finger, you pull down this lever, that's all the bigger it was. He told me that if you ever pull a Republican lever, you'll get a fungus on your fingers. Sooner or later your whole hand will fall off. So, I didn't believe him, but I didn't want to challenge him. That's kind of how I got started, because, you know, he insisted we vote. There's no reason not to vote, unless you're in a coma. So, we voted.

BB: It's kind of funny, because your dad told you that, I think in a, you know, pretty much a tongue-in-cheek way, but he was making sure you understood that he believed the Democrats were the good guys. I had a similar conversation with my dad when I was probably about that same age. I remember he said, "Well," he said, "Voting is an important responsibility, and it's especially important to be an informed voter." So he said, "Read up on the issues, read up on the candidates, and then vote for the Republicans." [laughs]. So, it was kind the same kind of a thing.

JD: Yes.

BB: Do, but you somehow got into the labor movement. Were you in the military?

JD: No.

BB: So, after you graduated from high school, you got a union job? Or, how did that happen?

JD: Well, yes. When I graduated from high school, I had some friends that were working construction, union. And they got me on with the company, and—

BB: What company?

JD: It was Hintz (?) Construction at the time. And—

BB: So, what were you, an operating engineer?

JD: No, I was a laborer, construction laborer. The superintendent, who was of course not union, he was a superintendent, he told me when he hired me, "Now, there'll be a guy coming around

from the union, driving a Lincoln and smoking a little cigar. Just join up, don't you give him any gruff."

Now, this is the superintendent talking. I said, "Okay." Well, it's about two months, nobody shows up. So, I tell the other guys on the job, "Hey, the union guys never showed up. I want to join, but where?"

"Oh, he'll be around."

Well, I don't know if somebody called him or whatever, but he came out within a week. And he looks at me, now, I've been there about two-and-a-half months at that time, and he says, "You're the new guy, huh?"

I said, "Well, I've been here two-and-a-half months."

"Did I ask you how long you'd been here?"

"No."

He says, "Okay, you be in the union hall at 4 o'clock to sign up."

I said, "Well, we don't get off until 4:30."

He says, "My god, I don't understand. I didn't ask you those kind of questions. Be there at 4 o'clock." "Okay."

So, now I go to the rest of the guys on the job, I says, "He told me I got to be there by 5...by 4 o'clock. So, I'm going to have to leave here about a quarter to four to get there. What do I do?"

The other guys said, "We'll cover for you. You better get there." So, that's how I got in the union. I mean, but I wanted to be in the union, because the wages were so much better than anything else.

BB: Yes. Who was the guy?

JD: Swede Hildebrand was the business agent's name.

BB: Yes. He seems like a, kind of a, going about his job in an unusual way, but—

JD: Well, he was the dictator. I mean, in those days it was not too much democracy in the unions.

BB: I see. That would have been, what, in the early '50s?

JD: No, it would have been in '63.

BB: Oh, okay. I see.

JD: '63, '64. And there was...not like it is now. It's just, he kind of did what he wanted, and that was...nobody questioned it.

BB: Well, you've already mentioned that your dad was, had some influence with you, in terms of your politics and your political thinking and that sort of thing. Was there anybody else you can think of, or any experience, maybe connected with the labor movement, or anything that kind of cinched it that you were a Democrat, or that you were going to be more involved in politics or anything like that?

JD: I guess cinched it for me, and wanted me to run for the legislature was I lobbied part time for the union in '77, full time in '79 and '81. The representative that represented my district, he did some things I didn't like. So, when I went home, I was complaining to people that somebody ought to take him out.

BB: Who was he?

JD: Wes Teague.

BB: Oh, yes. Wes Teague was renowned for having a kind of a poorly fitted wig. [laughs]

JD: Yes, yes. So, after saying that several—

BB: And a Democrat, by the way.

JD: He was a Democrat. I filed against him in the primary. Because people said, well, if you don't like it, run. So, I did. And I won the primary, of course, and that district, in those days, is kind of like Butte. You win the primary, you're in. And—

BB: But you'd have had to campaign. I mean, he was an incumbent and well known, and you probably weren't as well known, so you had to...What did you do? What was your strategy?

JD: Door-to-door.

BB: You did go door-to-door, covered the district pretty well?

JD: Yes, a couple times where the...there's certain parts of the district that were 70, 80 percent Democrat.

BB: This is in central Billings—

JD: No, it's on the, it's called the New South Side, or the...It's not the triangle part of the South Side, but it's everything else south of the tracks. And he didn't work. So, when I won the primary, they had put up a token Republican against him. Her name was Tillie Pierce. She was an officer in the local central committee, maybe chair, I'm not sure. So I go knocking on doors, and people would say, "Well, who's running against you?"

I'd say, "Tillie Pierce. She's a very nice lady, lives up there on Rimrock Road."

"What is she doing down here?"

"I don't know. If you ever see her, ask her."

BB: That's a perfect response.

JD: [laughs] Yes, and—

BB: Because the people down where you were campaigning would think that that's kind of snob knob up there.

JD: Oh, yeah, oh, yes, absolutely. They had no, politically or any other way, anything to do with them. So, yes, they didn't want...The hell is she doing down here? They, first of all, some of them didn't believe you could even do that. They thought you had to live in a district. They didn't know the law, nothing. But a lot of them just say, "Well, what the hell is she doing down here?" So.

BB: Jerry, though, before we get into the...into your experiences in the legislature, I'm kind of interested in knowing about the union movement, because you mentioned it wasn't very democratic, as an example when you started out. And you managed to work your way up to the point of being a lobbyist in Helena for, I don't know if it was the Laborers' Union.

JD: Laborers' Union, yes.

BB: And so there's got to be a...some stories about how you managed to get into the political side and the leadership side of the union movement.

JD: Well, the first time I ever went to a union meeting, either I think it was in '63 or '64, there was probably 30 or 40 members actually at the meeting. The executive board report was read, and they decided that they was going to give the business agent a 500-dollar Christmas bonus. In those days our take-home pay was a little over 100 dollars a week. Well, 500 seemed a little much. Well, we voted it down, and he adjourned the meeting for two hours.

BB: The business agent was the guy who was running the meeting?

JD: Yes, well he was the president [running the meeting], which was his boy [the business agent]. He told them to, and he recessed it for two hours. Well, of course, most of the guys went to the bar. Two hours later, half of them don't come back. So, the new motion is 500 to the business manager, and a hundred bucks to everybody on E board. Course, the E board gets to vote—

BB: And the E board is what?

JD: Executive Board.

BB: You were a member of that at that—?

JD: No, I wasn't at the time. I was just a member of the union. And it passed. I'll be darned. Of course, it was only about eight or nine of us left that actually came back to the meeting. And that was my first introduction of how it really worked. Now, union politics is way different than politics of the government. First of all, in the laborers' union, the business manager is a full-time job, year-round. In construction, it's almost never a full-time job. You don't get paid holidays, you don't get no sick leave, you get no vacation. As business agent, you do. So, it's a pretty enticing financial situation. And when I first got involved...Well, the other thing I have to tell you is that there's a lot of political patronage in a union election. You be with me and I'll make sure you work, and that kind of stuff. I promised I wouldn't do that. Everybody would be treated equally. Well, I won. Now they say, okay, you promised this; what are you going to do? Well, I had to keep—

BB: Well, what did you run for, business agent?

JD: Well, the first job I ran for was recording secretary, keeping minutes at the union meetings. And then later on I ran as a—they call them by constitution, it's a field rep, but everybody calls you assistant business agent. That's when you had, I mean, you had to...appointed by the business manager, but approval of the E board. So, you kind of have to keep your word. I mean, you're supposed to, and I did. And I just didn't think that it was being run democratically. Why should you have to promise, hey, vote for me and I'll make sure you keep working? Well, what about the other guy? He needs to work, too. He's got kids to feed. So, I put on the end to that. And so, that was kind of when I first got going, and then, then—

BB: And that was popular with the rank-and-file members? Will you—

JD: Oh, yeah. I mean, they were tired of, do this for me, or you're never working again, and stuff like that. You know, they were just sick of it. And then when I promised I wouldn't do that, and didn't do it, they were happy as hell. Well, then in '81, well prior to '81, '80, [the] president of

the [Montana] AFL-CIO, who was pretty weak and didn't know how to run a meeting or anything else, I ran against him for president of the state AFL-CIO, and I won.

BB: By then you'd been to a few union conventions, and you knew—

JD: Yes, yes, first one I ever went to was in '74, and they had—

BB: Now, we're not talking about Jim Murry?

JD: Jim Murry was not...He was executive secretary.

BB: Which is different than the president?

JD: Yes.

BB: Who was the president?

JD: A guy named Kukaruda (?). I don't remember his first name. No, Murry asked me to run against Kukaruda because he was...I mean, there was things that happened. The executive board of the Montana AFL-CIO was lazy. My opinion. You probably remember when Murry got accused of taking 8,600 dollars? I don't know if you got...well.

BB: There was a *rackafrazz* involving he and Ernie Post?

JD: Yep, that was a whole thing. And I went to a few—

BB: Ernie Post was another union official, incidentally.

JD: He was a, yes, he was COPE [Committee on Political Education] director. But they would— they wouldn't do nothing. They'd say, "Let Murry handle it. Murry, handle it." Whatever it was. They wouldn't give him any directions, so of course he takes it upon himself do what he wants. Why wouldn't you? They're going to tell you to do it anyhow. So, Murry asked me to run for president, because Kukaruda was not going to run again.

BB: How had, how had you come to Murry's attention?

JD: Conventions, and getting vocal, I mean... '79 and '77...of '81 are just, well, the '81 [election] hadn't happened yet. When I was lobbying I worked with Murry a lot on different issues. I got to know Jim pretty well. Got along with him fine. And just, that's how it started, you know. Well, I was president for 20 years, and then the executive director, Don Judge, he testified against the building trades in a Senate committee room, on a bill. I worked for the building trades at that time. And they started twisting my arm: now, you got to run against him, you got to run against him. So I did. And I won. So, that's—

BB: And there weren't any wet eyes on the Republican side of that. I'll tell you that. Don didn't have any friends among the Republicans.

JD: Yes, there was a...Walter McNutt.

BB: Republican legislator from up in Sidney.

JD: Sidney, yes. When I came up there after winning the election the next session of the legislature—and I got along very well with Walter McNutt—he says to me, “I ain't too happy with you.”

I said, “What did I do, Walter?”

“You beat that Don Judge. I used to love voting against him. I won't like voting against you.”

BB: [laughs] Well, that kind of says it. That reflects a point of view I think was pretty widely shared in the Republican Party.

JD: Yes.

BB: So, you were both a state legislator, and the executive—

JD: No, I was president. Until...I didn't become executive secretary until 2002.

BB: Okay. I was wondering about that.

JD: Yes. No, not at the same time.

BB: Yes, okay. But that's still pretty significant. I mean, to be president of the state AFL-CIO while at the same time being a member of the legislature.

JD: Yes. But see, being a member of the legislature, well, when I first went up there, everybody said all you're going to do is union stuff. That's all you'll ever do up here is union stuff. So, I went out and hunted up other kinds of subjects that I could get interested in. I decided helping development of disabled kids, like early intervention services and stuff like that. I carried those bills just so people wouldn't think that's all I did was union stuff. Besides, I like that subject. So, I got to be known as somebody that would work with other subjects, which was fine with me. I mean, that was the original intent, was to do that, but still, the subject matter, disabled kids, is pretty—

BB: That's something that everyone should have some concern about.

JD: Yes, yes.

BB: Do you remember any constituents who were particularly interested in you, and contacted you and—

JD: Yes. There was. I can't remember the names very much, but down a street about eight or 10 houses, they had a child with cerebral palsy, and she helped me in my campaign, and loved it when I carried the bills to help those kids. So.

BB: So, that was good.

JD: That was one of them, yes.

BB: Who were the most important leaders in organized labor in Montana during your lifetime? And that would be going back to when you first started out. And so I can remember like the name Joe Crosswhite.

JD: Yes.

BB: I'm not sure who he fit in, or how he fit in, or whatever. Jim Umber is a name I remember. Of course, I remember Jim Murry. Do you have any...Help me understand that.

JD: Okay. Jim Umber was the executive secretary, same job that Murry had later. Then, Murry was a COPE director, and Murry ran for executive secretary and won.

BB: So, he beat Umber?

JD: No, I don't think. Umber just retired. I don't remember all that. And he served there for quite a few years. And then, Joe Crosswhite, remember the Western Environmental Trade?

BB: I do, yes. WETA?

JD: Yes. He started that.

BB: Western Environmental Trade Association. And it was a, if I remember, it was a sort of a reaction to the environmental movement?

JD: Yes.

BB: Because many in organized laborer felt that the environmentalists didn't care about their jobs—

JD: Right.

BB: And they were intruding on blue-collar jobs. And so, they thought, well, we can take it, or we can form our own organization and fight back. And so, Crosswhite was the—

JD: He was the leader of—

BB: Leader of that?

JD: Starting it. Then he went and got companies to join it, and ranchers and others. And of course, the companies and ranchers paid most of the bills. I mean, they had way more money than we did. But it was trying to get together on things we could agree on, and it was pretty much against the hardcore environmentalists, because they were just trying to, you know, they tried to stop construction of Colstrip. Well, they're trying again to get rid of it. Well, they were got...they're good jobs, and they pay good. There was others that were involved, I can't remember their names right now, but that Crosswhite brought in. He was an operating engineer. And from your country, I believe. Kalispell or some place.

BB: Columbia Falls, I'm pretty sure, yes.

JD: I don't know. Remember the shoeshine chair?

BB: I do indeed, yes.

JD: And he sat in that chair. It was his chair.

BB: Just so the listeners will know, in legislative sessions, there's a corridor between the Senate and House chambers, and it's an area where lobbyists are often talking to each other, and talking to legislators, and that sort of thing. And there's a little bit of furniture there. There's a, I think a bench or two. But, at one time there was a big old barber's chair. That was Joe Crosswhite's chair. I don't know if anybody ever tried to muscle in on it, but he was a kind of a big looking guy, and he sat there, and the chair was kind of up above—

JD: It was higher, yes.

BB: Kind of higher than everything else, and it was just kind of the exalted position of the great leader in Montana labor, or at least I think he was generally respected as such, and that was his chair.

JD: Right, and you know, if he wasn't there, he didn't care if you sat in it. But if he showed up, you'd better get out of that chair.

BB: [laughs] Those would be some of the key leaders that you remember. I think probably Murry is the leader that most people remember the most.

JD: I'm sure.

BB: Is a long time, and really important, and I always thought he was a smart guy.

JD: Yes. And—

BB: Capable.

JD: You know, when I first started lobbying with Murry, and we go in and testify in front of a committee on some bill, I don't even know why we're there. To me, it was no big deal if it passed or died. It's no big deal. But he'd give written testimony, and verbal. Two days later, he goes back in front of that same committee, and apologizes to them because his information was inaccurate, and here's the accurate information, here's the references that he had. Nobody ever did that. I mean—

BB: Very, very seldom.

JD: I thought it was—

BB: I don't remember.

JD: Well, I thought it was a setup. Now you really believe me, because I'm so honest. I can't say he intentionally screwed up the first time, but I was there when he apologized. And it worked.

BB: He was a shrewd guy.

JD: Oh, yes. Oh, and a lot of campaigns, like Larry Williams, Republican for United States Senate, I think he [Williams] was [running] against Baucus. He found those pictures of Larry Williams in Colorado with the long hair, smoking a pipe, little pipe. He publicized them all over the place. The hippie. And—

BB: Williams was trying to project the image of the no-nonsense businessman.

JD: Yes, yes.

BB: And so, then he got this picture, and he looks just like a hippie.

JD: Yes, yes. Absolutely.

BB: Murry found those some place.

JD: He got them somewhere. That's the first time I ever seen them, when he was showing them. And where they came from, I have no idea, but they weren't fakes. I mean, they were from some magazine or a newspaper or something. [Forbes magazine.]

BB: You know, Jim, too, got ahold of a briefcase, runs in my mind it might have been left in a radio station. But anyway, it had documentation in it that proved that there was a direct monetary connection between the Montana Power Company and the fund to promote the sales tax campaign in the state. And of course, the sales tax supporters, many of them weren't in Montana Power, but the...you know, it was alleged that if the sales tax got enacted, that the big property taxpayers would see an enormous reduction, and probably the Montana Power Company would be the biggest beneficiary of any business in the state. And so, the power company was saying, we don't care about that, and we're just for good government, and trying to keep an arm's length relationship. But somehow or another, Jim Murry got a briefcase that had absolute documentation that the Montana Power Company was bankrolling that campaign. This was back before there was any kind of a disclosure required, or anything like that. Of course, that blew the sales tax out of the water. Murry had a reputation, you know, just...for being very shrewd.

JD: And he had enough contacts that people who knew Murray, and maybe knew where the stuff was, said, well, we'll give it to Murry, because he knows how to get it out.

BB: Yes, he knows what to do with it.

JD: Yes.

BB: Yes, that's right.

JD: He was good at that stuff.

BB: Well, I visited with him here not long ago, and he's getting on in years, but there's nothing wrong with his thinker, that's for sure. We've touched on this, but let's go just a little bit further with it. The environmental movement is something that happened in our lifetimes, and it...I think was probably not considered anything that was a threat or a positive thing for organized labor when it first surfaced, but it became that way, which is what gave rise to WETA. Has it greatly impacted labor? The environmentalists are well established on the political landscape now. I don't know, it's...I just want to answer the question, you know, like I think it...Well, my impression is that organized labor had more power and influence in our state in the 1970s when I first became a state legislator than it probably has now. The environmental movement doesn't have everything to do with that, but it probably is a contributing factor. What are your thoughts?

JD: Well, I agree with you. I lobbied for the Laborers' Union in 1979 to make sure we get the bill [authorizing] Colstrip III and IV. And the Montana Informational...Environmental Information

Center, and Northern Plains Resource Council were about the only two environmental groups that showed up for the legislature. Labor had a lot more clout than they did. And they'd put in four or five bills to stop III and IV, and the Power Company put in a stupid bill that they didn't have to meet any rules. I read that, and I thought, man, this is lawsuit heaven for them people. So, I went to the...Northern Plains [staff director] Pat Sweeney, and the guy from MEIC was...he was from Missoula.

BB: Jensen?

JD: No, before Jensen. He's dead now. I can't remember his name now. But I said, "Okay, I'll help you kill the power company bill, but we're also going to kill your bills. And we're going to build [Colstrip] III and IV. Or, we'll be supporting get rid of all these water and air laws." Well, they must have believed me, because they backed off. That was in '79 at the legislative session, January through April, and they broke ground on number III in October of '79. So, it worked. No, for instance, last session Senator [Duane] Ankney from Colstrip, he's got a bill in that if Washington and Oregon try that, we won't let your...our utilities cannot sell any fossil fuel electricity. They're going to have to pay a whole bunch more taxes on Colstrip I and II. Well, it got out of the Senate, got to the House, go onto committee, and the enviros took after it. Of course, then the radical rights, they didn't like Ankney. Well, on the first vote on the floor, there was only 10 Democrats that voted with the unions. I was just sick.

BB: Unthinkable, in the '70s and '80s, maybe into the '90s.

JD: Oh yes, right. I went home. I was just sick of it. I said, that's enough of this. So, I left the legislature and went back to Billings. And I thought—

BB: Now, but Jerry, just to make sure listeners understand, this is very recent.

JD: Oh, it's last session.

BB: Yes, so the 2015 session.

JD: 2015 legislative session.

BB: So, you had the power to just threaten the environmental movement in '79 and pretty much accomplished what you needed to. When it came to a showdown, a recorded vote where it could be a scorecard for the AFL-CIO, and the AFL-CIO has been a prominent part of the Democratic P...coalition for a long time, and in that span of about 25 or 30 years, whatever that is, I guess about 35 years?

JD: Yes.

BB: Anyway, the organized labor [groups] can only get ten members of the Senate?

JD: House.

BB: Oh, the House?

JD: House Democrats. We got 10 out of 41. That's how much it's changed.

BB: That's really changed. Where is the power center of the party now then?

JD: The environmentalists. League of Conservation Voters. You know, too, looking back, it was partly our fault. We quit going to meetings, we quit getting involved as much as we used to, and they took over. And so, now in Billings, I don't know about to rest the state, if you want to run for the House or the Senate in Billings as a Democrat, if the League of Conservation Voters don't like you, you will get a primary. So, that's how much has changed. And the other party, the Rs, [Republicans] see, I refuse to give money to either party anymore. I give to candidates because I hate both parties equally. I mean they're both—they've both been taken over by radicals. So, we didn't have any radicals.

BB: Not near as many in the 1970s, '80s, '90s.

JD: Oh, hardly any. Hardly any. I mean, a radical—

BB: Well, Pete Story was a very conservative Republican, but you sure wouldn't consider him a radical.

JD: Oh, no.

BB: Tom Towe, I don't know if he's radical or not—

JD: Well, I'd say he's as radical left as you get.

BB: Pretty close, but probably not anything like the modern-day radicals.

JD: Oh, no, no.

BB: Left or right.

JD: No, they won't even talk to each other anymore. I mean, if you get seen as an R talking to a bunch of Ds, or vice versa, you'll get called to the woodshed. See, when I was first there, when I was a freshman, I got called to the woodshed, because I used to sit with Walter Sales at Jorgensen's, evenings, have a few and bullshit. So, I got called into—

BB: He was a Bozeman Republican.

JD: Yes, he was, yes. I got called into Speaker [Dan] Kemmis' office, and it was [John] Vincent and [Hal] Harper and the Speaker. And I sit down, "Yes, what's up?" Well, the caucus has noticed that you have been spending a lot of time in the evening with Walter Sales, and he's a no-good Republican. I just looked at him, I got up and I says, "Why don't you guys watch how I vote, not who I drink with?" and left.

That was about the only time that I ever got...Well, one other time I voted on the floor, and they come over, and they said, you voted against the party platform. And I said, "I did? Well, you know what, they never gave me one of them, so how would I know?"

So, they highlighted the part that they said I voted against, and brought it down and gave it to me. I read it. I said, "I don't like that part." But I never wanted to be lockstep with anybody, just because it's not...you get too lockstep, then the other side don't like you, and I don't blame them. If you can't get along with everybody up there, or almost everybody, you're not going to survive very long.

BB: We all have a philosophy, more or less, that caused us to run as a Democrat or a Republican, but I think the best legislators are the ones who consider each piece of legislation.

JD: Yes.

BB: Yes. And they think about each one.

JD: And don't get mad if the other person's thoughts are different than yours. Just move on to the next one.

BB: Jerry, the Farmers Union was pretty potent, I think, in terms of its influence back in the '60s and '70s and '80s and so on.

JD: '50s, yes.

BB: '50s, I guess, probably especially. And they've been pretty well eclipsed, too, haven't they? Were they an important ally to the labor movement when you were—

JD: They were starting to be less, you know, in the '70s and '80s, and they were less and less. You know, why I don't know. I didn't follow it that close.

BB: Well there had to be something that made sense from the standpoint of, like the, like you'd think the industrial unions were centered in places like Butte and Anaconda, and maybe to some extent Great Falls. They had totally different interests than wheat ranchers and farmers and cowboys and that sort of thing, in the vast wide open prairie.

JD: Yes.

BB: So, what was it that brought them together? I mean it seems like an unnatural alliance.

JD: Well, mostly it was, it was...the labor guys would...that were elected, would support farmers' legislation if the farmers would support the industrial unions.

BB: So, it was simple as that? It wasn't they necessarily anything in common, it was—

JD: No, it was just, let's help each other.

BB: Help each other, yes.

JD: And then there was a whole lot of smaller farmers than there are now. You know, one of the things that killed the Farm Bureau and farmers in general is that CRP Conservation Reserve Program. I mean, that that dried up a whole lot of towns in eastern Montana. And—

BB: And that was where the farmer would just set aside a portion of his farm—

JD: And they'd pay him not to grow nothing on it.

BB: And the federal government said, we just want this to be natural—

JD: Yes.

BB: So there's sagebrush, and that's a kinder way to treat the land, and to continue to cultivate it, and so if you'll agree to let it...allow it to go back to natural habitat, then we'll pay you a little bit of something to do that. Many of them thought, well, heck, there's no risk involved in this.

JD: Right.

BB: You don't have to worry about the sagebrush getting hailed out.

JD: And you don't have to worry about buying equipment.

BB: Buying equipment or anything, so that caused many little farm implement dealerships to go broke and—

JD: Car dealerships and—

BB: Little towns—

JD: —the little grocery stores. And in fact, when [Gov. Brian] Schweitzer appointed Dore Schwinden executive, or deputy commissioner of labor, and the commissioner of labor...can't remember his name now.

BB: Keith Kelly?

JD: Keith, yes. They're both farmers. I see him back, you know where the Senate used to park, in that oval, and I'm outside having a cigarette, and I said, "Yes, I got a bill you two might want to support."

They said, "Well, what is it, Jerry?"

I says, "We're going to change the name of unemployment insurance to urban CRP, so you two understand what hell it is." But see, they didn't...I mean, how can those two...I mean, they're not bad people. Well, what they got in common with the working stiff, I have no idea. So—

BB: What percentage of the workforce in Montana is unionized now, do you know?

JD: Oh, what, it's probably, maybe 10, 12, 13 percent is all. It's way down.

BB: So, it's been continually declining for 50 years? Thirty years?

JD: Well, the peak was probably right after World War Two. Early '50s, late '40s. But then, if you go back and you look at Libby, they're ain't an industrial job left in Libby. Used to be 100 percent Democrat union. Livingston, Butte. Butte's still Democrat, but there's not much...in Great Falls the smelter's gone. Anaconda. Around here, Frenchtown, Bonner. There's not industrial jobs left in this state. So, every time there's an industrial union gets taken out, the Democrats start losing seats. And they, they think that it's some other reason. Well, why is it that Colstrip used to elect Democrats, now it's big, big-time Republican. Sidney.

BB: Because those guys are afraid to death if there get to be too many Democrats in office, the Democrats will make war on coal—

JD: On their jobs.

BB: On their jobs, yes.

JD: See, I told this...this was at a meeting 15 years ago. Political meeting of the unions. There was a statement made, "Well, if you elect all those Republicans, we'll all lose our jobs."

I says, "You know, if you go to Colstrip, or some of these other towns that have some in industry, they say just the opposite. If you elect those Democrats, we'll all lose our jobs. So, the guys that get the vote see it completely different than you." So, and it's happening to them. I

mean, now they're really...I mean, the plant, Billings electrical plant, the Corette plant, it's gone. It's tore down and gone already. If they do get by with buying Colstrip...Washington, all their big scheme, and a Sierra Club, a-buying Colstrip I or II, I and II, they'll tear them down as fast they can, so that they'll never come back. Them guys are scared. And rightfully so. I mean, I would be, too, if I worked down there. Well, anyway.

BB: And the AFL-CIO doesn't have the power it once had to weigh in, to fight for them.

JD: No. No way in hell. And it's just because—well, if you look at industrial unions, there's three refineries around Billings and there's one in Great Falls that are still operating union. Then, if you look around at any kind of industry, anywhere, I don't know where it is, in this state. It's all gone.

BB: When, in your time, in politics, a couple of things happened that would have been unimaginable, just a few years, perhaps, before they happened. Because the great political and economic power in Montana for decades and decades was the Anaconda Company. And it had a close relationship with the Montana Power Company. And between them, they didn't have a controlling influence, necessarily, but they had a huge influence, for many decades, on Montana politics.

JD: Yes.

BB: And then, we saw them pass before our eyes. We saw them both just disappear from the scene.

JD: Yes.

BB: Any thoughts on that? Because it might be related back to the disappearance of the industrial jobs and that sort of thing. I don't know. It's a coincidence that those two big companies disappeared at about the time that—

JD: Well, the Anaconda Company, that cost a lot of industrial jobs. Butte, Anaconda, Great Falls. But the Montana Power Company going away, Northwestern took that over, and then PPL bought the plants. That didn't change much. It changed names, but the Anaconda Company, that hurt my...it hurt organized labor a lot, because you're...When you talk about 8-, 9,000 union jobs, and [they all] disappear within not too many years. Then automation, the paper mill out here, they...it's gone now. There was, at one time, 700 people working there, union people. Right now, I think the biggest union operation in Montana is the palladium, platinum mine in Columbus, and I think that that's one of the biggest ones.

BB: Yes, yes. Well, describe how you remember the relationship between the AFL-CIO and the Anaconda Company. Because I think it went belly-up about '83, or something, and you started

coming over here in '79, so you must have had an impression of the ACM, and as a union man, you had to...how did you work with them, or did you?

JD: I think the lobbyist was Danny Shea, for the Anaconda Company. I knew him, I got along with him pretty well, but sometimes I would just cuss him out for where he was going with certain legislation. I can't ever remember being together with him on any bill. But I mean, I could have been. I'm not sure.

BB: But it wasn't a partnership, it wasn't that the AFL-CIO was kind of trying to keep the company viable and open so that they could keep their jobs, and the company was kind of trying to play ball with the AFL-CIO? For the same reason, there wasn't anything like that, that you can remember—

JD: Not that I can remember. I do believe that the reason of the shutdown of the copper mining and all that stuff is the price of copper and—

BB: Which is purely economic.

JD: I believe it was, yes.

BB: We've talked about what motivated you to go to the legislature, but we haven't talked at all about the legislature. We know that you lobbied the legislature, so you became...before you became a member. So, some people that I've interviewed have said it was the most incredible thing. You know, I knew it was in Helena, I'd seen pictures of the Capitol building, but until I walked in there and got sworn in, and it was...here I was in this large, impressive room, and here were all these smart-looking people around me, and I felt kind of small and insignificant. I just hoped I could, you know, hold up my end, and that sort of thing. Describe how you felt, when you went from the guy out in the hallway, the lobbyist, to becoming an elected member of the legislature. Was there a—

JD: There was one. I'll just give you one incident. The two-hour rule in the House, they announce to us, "Session starts in two hours, all lobbyists must leave the floor." And the person that made that announcement about the second day I'm there, says, "Driscoll, you don't have to leave." But I didn't ever feel like embarrassed or anything. I kind of knew how the place we ran. I didn't know all the—

BB: So, you weren't a typical freshman, for sure.

JD: No. The biggest thing that I didn't like was the dress code. I didn't own a necktie. In fact, when I ran for election, this friend of mine that worked at Conoco, he agreed to help me. I had to make him one promise: I'd never wear a necktie up there.

BB: You couldn't keep that.

JD: Well, I did until—

BB: Well, as a lobbyist.

JD: No. No, when I got elected I promised him that. To help me get elected. Okay, and I didn't. I never wore a necktie until I got a bill out of the House, into the Senate committee. Pete Story was chair of the committee. Well, he calls up the next bill, whatever number it was, and [said], "Representative Driscoll." I walked up to the podium, I don't have a necktie on. He looks up and he says, "We'll be in recess until the representative comes properly attired." What the hell's wrong here? So, one of the Democrats said to me, "You better go get a necktie, or they're not going to hear your bill."

BB: Because when you said you spent time in the legislature not wearing a tie, well you see, I was in the Senate where that was just part of the uniform. Nobody even questioned it. So I wondered how you got away with that. Well, now I know you didn't when you—

JD: Well, I did in the House.

BB: You did the House, but I mean, now that you went before a Senate committee, then you ran into that.

JD: Right, yes. But that was just the way the Senate worked. Now this, like last session when they came out in the House with a dress code and a big flap about what they were going to do, and the women started raising hell about what the Speaker said. It got kind of funny. Well, two of them women, three of them, they're kind of hot about it. And they say something in my presence, and I said, "No, when you filed at the secretary of state to run for this place, they asked your name, your address, where's your 15 bucks, and which party do you want to be. Did they ask you, they tell you anything about how to dress?"

"No."

"Well, then they're just suggestions. They can't enforce that."

"Well, by God, I'm not going to do that, then."

I says, "Well, but you know what they can do. The unofficial rule is, kill all your bills. So, take it with a grain of salt."

BB: Yes. [laughs] You might not know why it happened, but maybe now you do.

JD: But it'll happen, yeah.

BB: Yes, right. So, you're in the legislature your first session, you've had an opportunity to kind of see what's going on. Were there any things that surprised you?

JD: Oh, that surprised me—

BB: That you didn't expect, that you didn't...about the—

JD: I didn't expect the...of course, I didn't ever...we had closed caucuses, and some of the complaining and bitching at certain members, because of how they voted. I didn't understand that. I didn't think that happened, naively. But I'd never been to a caucus. But I used to get mad and holler at the caucus. They've come from a district, they can vote any way they want. If you keep beating up on them, I'm going to start voting with them. So they kind of got over it, but it was...that surprised me. I didn't think that happened.

BB: Well, then kind of related here, there must have been some legislators that especially impressed you. Let's start with the Democrats. Were there some Democrats that stand out in your memory when you got there, in terms of their caucus behavior, or their leadership or lack thereof on the floor, or anything like that?

JD: The ones that I probably respected the most is the Butte-Anaconda old-timers. Guy named Rex Manuel.

BB: You bet, yes.

JD: He was my seatmate for two or three sessions.

BB: He was chair of the Longrange Building Committee?

JD: Yes.

BB: Remember that?

JD: Yes.

BB: And we called him "Edifice Rex."

JD: Didn't remember that. Edifice Rex [laughs].

BB: Because he was building big structures.

JD: Yes. Well, two stories about Rex. This was later on, and House Bill 2, the main appropriations act, I think it's section A or something, where all the farmers are. Ag and livestock. And I go up and check the podium. There's 11 amendments to those two sections. So,

I go back down [to the floor.] In those days your neighbor could push your button and nobody said a word. So, I said, "Rex I'm going to go have a beer. Keep me voted, will you?"

He says, "How do you want to vote?"

I says, "I don't want to be marked absent. How's that?"

BB: Trust your judgment. [laughs]

JD: So, I came back in about an hour, hour and-a-half, and Jo Brunner, who was a lobbyist for the irrigation farmers—Rex being an irrigation farmer—she said, "Driscoll, what the heck did I do to you? You've been voting against me all afternoon."

"Huh?" I run in there, behind the two-hour rules, she can't follow me. Go up the Rex, I said, "Hey, Jo Brunner's out there, really mad at the way I've been voting. What have I been doing?"

He says, "Well, these are really bad amendments. I got to vote for them, but you don't."

BB: [laughs] Oh, that's a great story.

JD: Yes, so he...and he was winning most of them. But I didn't care. I didn't mind voting for or against farmers, they never want much, you know. They surely don't want anything that costs money, normally.

BB: You served with John Harp.

JD: Yes, I did.

BB: Your thoughts?

JD: Great guy. Story about Harp and me and Dorothy Bradley and [Bruce] Crippen, and accelerated tax collections to build buildings at the Bozeman University campus. Well, they accelerated the income tax collections into this other fiscal year, so it shows up on a balance, and you can spend it. You really ain't got any more money, but just get it quicker. Well, when the bill is up on second reading, me and Harp put up an amendment to put the money into workers' comp, and it passed.

BB: So, boy, did Dorothy Bradley feel double-crossed.

JD: Well, I never told her I'd vote for it.

BB: Oh, I see.

JD: I didn't.

BB: Was that the understanding? That it would go for university building?

JD: That was what this bill was drafted to do. But I didn't have any conversations with anybody.

BB: I see, I see. You weren't involved in that, you just saw an opportunity to—

JD: Opportunity to take this money and put it in workers' comp, because workers' comp was so broke. Harp and me worked his side and my side, and we got the votes. Another story about John Harp, he was in the House, and on a Revenue Oversight Committee, or whatever they called it. He came up with changing bookkeeping. So, we used fund balances in those days, not actual cash. So, if you change the bookkeeping GAAP, generally accepted accounting principles, all of a sudden we got 50 million more dollars in the fund balance in this fiscal year. And we're balanced. So, he's got this little button made, "I love GAAP," or "I heart GAAP," you know, "I love GAAP."

I said, "John that is so much crap, I can't believe it." So, I went down and I got me a button saying, "GAAP is crap." No, I got along very well with John Harp; he was a good guy.

BB: Did this GAAP concept originated with him?

JD: It's the first I ever heard of it. Somebody might have gave it to him. I don't know. But—

BB: But help me understand it again, I'm not sure I quite understand how you explained it.

JD: Well, the way the budget office and the fiscal analyst kept books, they accounted for monies differently than generally accepted...like if somebody owed—

BB: Generally accepted accounting practices? Yes.

JD: Yes. If somebody owes you money, accounts receivable, you recognize them this fiscal year instead of when you actually give it. That's what they do now. Well, business does that. I mean, if there's a...you sold a bunch of stuff, you just haven't actually got the money in your hand yet, but just sold it in, say, May, but now July 1 comes and the fiscal year changes, the way they used to do it. You didn't recognize it until July 1, and that's a fiscal year. So, he changed it to, recognize it when it's owed to you, not when you get it. And it balanced the budget.

BB: Well now, you were there when [Senate President] Freddie Van Valkenburg balanced the budget on the school funding based on delaying it until July from June. The payment.

BB: Yes, yes. Same kind of a thing.

JD: Same thing. Change bookkeeping and we win.

BB: Yes. [laughs]

JD: I mean, it was...I thought that was both of them were pretty well-thought-out. Now, who thought them up, I can't say.

BB: Well, John might have, I mean because of his—

JD: He might have, yes. He was very cap—

BB: —business background.

JD: He was very capable.

BB: Yes.

JD: John was a reasonable guy. Of course, back in those days, I thought almost everybody was very reasonable. I kind of prided myself on not having very many enemies. Have mostly friends, because you didn't get in arguments with somebody. If you talked to them about a bill, and they'd come right out and say, "No, I can't be with you on this one," or, "Yes, sounds all right." Give you an indication. But if they didn't...You know, my wife was up there when I was lobbying the first time in '81, and I was lobbying for the unions, and I come up and I was talking to a Republican senator, and he says, "Driscoll, I've told you I ain't voting for that damn bill. So get off."

He was getting kind of mean and nasty about it, and I just said, "Okay, thank you, sir," and left.

She said, "Why didn't you punch him?"

JD: I said, "Because he gets to vote one or few more times before this thing is over with."

"Well, you could at least have told him off."

I said, "Yes, then it makes him mad, then he goes inside there and starts lobbying against me. This way I just said, 'Well, thank you for your time, Senator.'"

BB: Yes. Stan Stephens, when I was a young legislator, gave me some advice. He said, "This is just some unsolicited advice that I think you'll find useful as you remain here in the legislature." He said, "Don't make snap judgments, and don't burn any bridges."

JD: Yes. I got along very well with Stan, I mean personally. I don't know, you were there in '91—

BB: Oh, yes.

JD: And we were raising it with him and his limousine, and a chauffeured limousine. And his airplane.

BB: Yes, I remember the airplane, for sure.

JD: It was some part of the Democrats, not all of us. Well, then towards the end, the conference committee on House Bill 2, they're meeting. I'm outside having a cigarette, Stan drives up in his car. The Ford Motor Company lease, with a lease for next to nothing. "Jerry, can you get in the car and talk to me?"

"Sure, Stan."

I jumped in there, he says, "Hey, I got a question to ask you. Where's the black guy that's the chauffeur of this thing? Did you fire him?" He says, "We're going to get serious here."

"Okay." So, I said, "I know you're mad about the airplane, and I don't blame you. I don't like it either. We're not taking your airplane. Before this is over with, you'll have your airplane back. And I guarantee you, there'll be at least half a million dollars for maintenance of that plane" because it needed a new motor or something. And we're going put in the budget [a provision that says] you have to sell this plane, or you can't sell the plane until you get a million-and-a-half for it."

He says, "There's no way I can ever get a million-and-a-half for this plane."

"That's the point. You get to keep it, and we get to put a million-and-a-half on the budget sheet, as we got more money."

But then I said, "This car, you're going to have to explain that yourself." And it was...I don't know. I said, "Where the hell is the old Stan? When you were a senator, if we started beating up on you like we have been, there'd have been hell to pay. Now you're just taking it. I don't understand you, Stan." But he was decent man.

BB: Oh, yes. I thought he changed a lot from when he was a legislator to when he became governor.

JD: I mean, yes.

BB: He seemed to kind of have a different approach to things. He seemed almost like there was some kind of a personality transformation.

JD: Well, that could be, yes.

BB: He came to the Senate Republican caucus, and he hadn't been governor very long, it was our first legislative session after he'd been elected, and he was having all that trouble, remember, with his budget director and—

JD: Yes, yep, yep.

BB: Director of the Department of Commerce, I think, and so on, and it was a—it was a really, a tough beginning for him. And he came down to the Republican Senate caucus and he stood there, and we introduced him, and you know, everybody knew who he was. He looked around the room with this quizzical expression on his face, he said, "How long have we been caucusing in here?" Well, God, we'd been caucusing in there for ten years. He'd caucused, he'd led caucuses, as the...and I thought, "What's going on?"

JD: Yes.

BB: But I think he was overwhelmed, and almost in the state of shock there for a while, you know, as he started off. I remember we, the Republican senators, that's...When you mentioned we used to have closed-door caucuses, and so, there was a consensus in the caucus that we could help the governor with the problem he was having, and he didn't seem to be on the same page with us. So, they said, "Well," at that point, remember that our leaders were Del Gage and Bill Farrell, I think. And they were both real mad at Stan. Again, that'd be unusual, because you know, Stan was a pretty easy guy to get along with. But they'd had a...He'd really sparked at them, and they were mad, and they weren't going to carry any messages to him, and that sort of thing. So, they looked around the room and said, "Well, Bobby Brown knows him pretty well. Let's have him go down and see if he can deliver this message." So, I did. I remember I went into his office and remember what he was uptight he had a real red face?

JD: Yes.

BB: His face was just as red as a tomato, and he obviously had been going through a lot of stress. I just felt so sorry for him, so I delivered the message. I can't even remember what the issue was, but I delivered the message in as kind and diplomatic a way as I could. He got up kind of slowly like he was tired and just about had it, and he trudged from his desk over to the wall without saying anything, put his elbow up against the wall, kind of leaned against the wall, and he said, "You think this is an easy job, don't you, Bobby?" I just felt sorry for the poor guy, you know?

JD: Yes.

BB: But he was a lot more confident and had a spring in his step, and a lilt in his voice, and smile on his face when he was a legislator. When he was governor, I don't think he enjoyed one minute of that.

JD: I don't think he did, either. You know, when we were...He was mentioning his commerce director, and there was an article in a newspaper about his commerce director hired his girlfriend as a secretary in the Department of Commerce.

BB: Yes, Mike Letson I think was his name, yes.

JD: Yes. And I'm on the floor reading the newspaper, and Larry Halgren is across the aisle, and I started giggling. He says, "What's so funny?"

I said, "You know, your commerce director got caught again."

He says, "I suppose you Democrats never hired your girlfriend as a secretary."

I said, "No, Larry, we're not that cheap. We make them at least administrative assistant. It pays way better."

BB: [laughs] Well, he probably saw the humor in that, too.

JD: Yes.

BB: Well, I asked you about prominent legislators and lobbyists and that sort of thing. Just let me mention a couple of names. Francis Bardanoue? What pops into your mind?

JD: I didn't get along with him. I didn't think he was doing things that were in the best interest of the state.

BB: Was he too much of a penny pincher, or did he have—

JD: Penny pincher, unless he wanted to spend it. Great actor on the floor. Great actor. But I didn't like where he stood on some of the issues. So, I just ignored him. But you know, when the Democrats were in charge Bardanoue appointed the Appropriations Committee, not the speaker.

BB: Really?

JD: Well, that's how it really worked. The speaker signed the letter, but...Bardanoue asked me one time, he says, "You want to be on Appropriations Committee?" I didn't in any way want to be on it.

I just said, "You like the way [Red] Menahan votes?"

"No."

“Well, you'll hate me, then.” [laughs] So, I never got asked aga—

BB: He probably thought the Butte-Anaconda delegation was kind of trying to get as much pork in their area as possible, and that's why he didn't like the way Red Menahan voted, would you say?

JD: Yes, yes. Yes, oh yes. I don't know...When J.D. [Lynch] stole that money out of the general...stole it...passed the bill to get the money out of the general fund for the library at Tech [Montana Tech of the University of Montana]—

BB: J.D. Lynch, right.

JD: J.D. Lynch. And Bardanouve says, [imitates Bardanouve, who had a speech impediment] “Just back up the dump truck to the treasury and take your scoop shovels and haul it all to Butte.”

BB: How did that happen? Do you remember that story?

JD: How it happened, how they got it?

BB: Yes, yes.

JD: Yes, the Butte-Anaconda delegation started making deals from opening bell on everything they could, if they get a vote for Butte Tech. That's what they always did. So, right at the end, they took the money right out of the general fund, instead of long range, and built this library at Tech. They got the votes, it was a bill on this floor. They did it because, well you know, J.D. was never above making a deal. [laughs]

BB: [laughs] Right, yes. That's right. I'm trying to think of a prominent Republican. Was Bob Marks still in leadership when you were in the House?

JD: He was there.

BB: You didn't cross over with him very much?

JD: No. See, there was...well, I had a couple. See, I was a, when I was a freshman, we was in a majority. And then—

BB: You came in when? In '70—

JD: '83.

BB: '83, okay.

JD: And then '85...I don't, I can't remember if that was a tie year, or Republican by one vote era. But, so in three sessions I was majority, minority, and a tie. The only three possible things. Marks was the speaker. It was 51 to 49. His style—he would never start the House on time. We used to call it “Clancy time.” [Marks was from Clancy.] On Saturdays, early, when you wanted to get home, he wouldn't call us in till 10 o'clock. All you do is go in there and push your button, and a couple of announcements—

BB: Yes, so you could have been two, three hours down the road to Wolf Point or Billings or some place.

JD: Yes, yes. That was kind of a thing, and now, but he was, see, he was the speaker. But I think Jack Ramirez was the boss.

BB: Did you have any dealings with him?

JD: Ramirez?

BB: Yes.

JD: Oh, yes.

BB: Tough customer.

JD: Tough customer, but not a real bad guy.

BB: You had a pretty good relationship with him, a working relationship?

JD: Working relationship. The one first time—

BB: Because boy, he and Harp didn't.

JD: Oh, no. I don't know why they didn't, but—

BB: You know that story, though?

JD: No. What story?

BB: Well, I mean, just that they didn't—

JD: They didn't get along, I understood that. Well see, when...he was, well, a Republican leader, minority leader, whatever his title was, and there was some bill on the floor, on second reading. And he starts asking me questions.

BB: Had you yield to some questions?

JD: Yes, yes. And I did. And he's asking me these questions, and I kind of see, it's an unemployment insurance bill, I'm catching it, where he's trying to lead me. So, the question to let...The last question I actually answered, I didn't answer. I just said, "Well, Representative Ramirez, my dad told me, 'Never argue with people who get paid by the word.'" And I sat down. And he kind of giggled.

BB: [laughs] Wow, well good.

JD: But when I was lobbying, remember Ken Nordtvedt?

BB: I do.

JD: There was a bill up there—

BB: He was a Republican, very conservative, from Bozeman.

JD: Yep, yep.

BB: College professor.

JD: College professor. There was a bill that he had voted on second reading, "yes" for nurses. And on third reading, he was gone. Me and the lobbyists for the nurses, I...she didn't know nobody, who the hell nobody was. I asked Jack Ramirez, sent a note in when she come out, and I went and got the vote on second reading on this bill. Ken Nordtvedt voted yes. "Would you pair him on third?" And it [unintelligible]. And Ramirez was trying to kill the bill. He looked at our evidence, says, "Yes, I'll do it." And he did it. So I thought, you know, he could have just [said] well, say nothing out here; ain't going to do it. But he didn't. He paired him yes. And it won by one or two votes up there.

BB: Wow, so it might have even made the difference.

JD: Yes, yep. But he was a fair man.

BB: Yes. What are your recollections about Governor Schwinden?

JD: Well, Governor Schwinden. I've been thinking about this incident. When he decided to run against [Gov. Tom] Judge in a primary, Jim Murry tells me and others, one of us has got to be

for Schwinden, the rest of us got to be for Judge, because he's been...Judge had been good to us. But we got to have an in, just in case he wins. Schwinden.

BB: This is Jim Murry?

JD: Jim Murry, AFL-CIO. He looks at me and says, "And we elected you, Jerry."

I said, "When was this, when did we have this election?" So, I said okay, so I went down to the Schwinden headquarters and [said] who I am, and what I'm doing, and blah, blah, blah, and did some work for him. They told Ted that some of the unions are with you. Well then, when he wins, then he wins the general election, and some of these people who had been with Judge in the primary, he comes to our convention and they want him to keep [David] Spike Fuller as commissioner of labor. Ted Schwinden looks at them, he says, "Jerry, probably [will] have something to say about it; you guys ain't got nothing to say about it."

But it wasn't a public meeting, it was just like a few standing around. The other time I got mad at the governor and I call his staff, Gene Huntington, and the lady, I can't member her name right now. I said, "All your boss does," meaning Governor Schwinden, "all he ever puts on his study committees are Republicans and jerks. Tell him, will you?" Well, they did. I don't hear nothing. The next summer, AFL-CIO convention, he comes to give us a little speech, and he starts his speech off, saying, "Your President Driscoll said that only people I ever appoint to these study committees are Republicans and jerks. Well, I want to tell you, I put him on five of them, and I don't think he's a Republican." So, he had a good sense of humor.

BB: Yes, oh he did, yes. I thought he was...really had a grasp of government, and the details of administrative government, and an understanding of the legislative process, and so on.

JD: I think he did, yeah. And he'd never...He had this philosophy, if it hits my desk, it was passed by the legislature, I probably ain't going to veto it. He didn't veto hardly anything. So, you know, that's just his style.

BB: But I think there were negotiations that took place with him before the fact many times.

JD: I'm sure, probably.

BB: Because, you know, he had a staff, he had legislative liaison person or something or other, and you know, they would bring things to governor's attention, I think, pretty regularly. If he had a problem with it, he might...you know, I know Senator Turnage and Governor Schwinden met on a fairly regular basis, and talked things over. Jean would help him derail something or amend something, and so he kind of worked to prevent the showdown, so he wouldn't have to do the veto.

JD: Yes. Well, when you talk about Jean Turnage, I think he was president in '79, I believe it was. '79 or '81.

BB: Yes, I think it was later.

JD: I was lobbying, and there was a bill, the federal government had started taxing unemployment insurance benefits, and the state was going to do it too. They put it in a bill. And I didn't like it, and I went and talked to Jean Turnage. First time in my life I talked to a president. Introduced myself, and told him what I was up to, and he looks up and he says, "There'll be no tax increases on my watch. I know about that bill. You keep the Democrats in line, I'll keep the Republicans in line, we'll kill it."

"Thank you, sir, thank you, sir."

So, I get up to leave, and he says, "Have you seen L.C." blah, blah, blah, whatever number.

"No sir, I haven't."

He says, "Well, it's in that one, too. You better get to work on that one."

BB: Boy, that's him to a T.

JD: Yes.

BB: He read things with an eagle eye. He could pick up the fine points that lots of us without his legal training, I think—

JD: Yes. And anyway, he did. I thought, "Geez, that's a nice guy." And I've known—I mean, since then, especially Old Timers Club and all that stuff, I remind him of that: "thank you very much."

BB: Yes. Several more things to cover, but we've got a quite a bit of time actually, too, I just looked at my watch. One of the things just jumped into my mind was the...remember in the '80s, I'm quite sure you were there when there was a kind of a bizarre Call of the House, and it lasted into the night.

JD: Yes.

BB: And Representative Thoft [Bob Thoft] was in California; he had to be down there, had a family emergency.

JD: Yes.

BB: And so maybe explain, if you can remember about that, what the issue was, and then what a Call of the House is.

JD: Well, the issue was, there was a transmittal deadline that had, that was that day. It had to pass that day, or else the Senate had to suspend the rules to accept it. They wanted to delay it so it so to make...I mean they, meaning the people that called the House, they wanted to make sure it didn't get to the Senate until it was late.

BB: So, it was a stall?

JD: It was a stall. It was great strategy. And—

BB: They were pretty sure they'd lose it. They were pretty sure they'd lose the vote, and they thought, well, what can we do to just postpone the vote?"

JD: I mean, to transmit the bill had more votes than to not transmit it, and they knew it.

BB: It was a tax bill; wasn't it of some kind—

JD: Yes, it was some kind of a tax bill.

BB: Involved the railroad?

JD: I don't remember what it was, but...and so, the Call of the House, that's the second one I ever been through, but they'd last until 4 a.m., 5 a.m.

BB: And explain what a Call of the House is.

JD: Okay. A Call the House—

BB: Can also be a Call of the Senate, but in this case it was a Call of the House.

JD: A Call the House, somebody makes the motion, if you get in the House, if you get 20 people to stand up and second it, all business [is] suspended, and cannot be removed until two-thirds people vote to remove it.

BB: To remove the Call?

JD: To remove the Call. And no business can be conducted, and nobody can leave. So, you—

BB: But the purpose of it was that Representative Thoft wasn't there.

JD: Right.

BB: So, when they say this is an important enough measure, we want everybody in their seat and voting—

JD: Yes.

BB: And so we're going to suspend everything from happening here until Representative Thoft is back on the floor and able to vote.

JD: Right.

BB: And the only way to remove that motion would be by a two-thirds majority.

JD: Yes.

BB: And so, what happened then? I mean, so the House of Representatives can't do anything—

JD: No, they can't do anything, but—

BB: But they can't leave the chamber, can they?

JD: Nope.

BB: So, how do you—how do you eat? What do you do?

JD: Oh, you have staff go get it for you.

BB: But it went like until 6 in the morning or something?

JD: Well, I think it was closer to 4:30 in the morning.

BB: Yes, yes.

JD: But in that case...see, and then they...the leadership has to call the highway patrol, and they go looking for the guy. Well, and it's on the radio, "Thoft is missing," and blah, blah, blah. Well, he's on his way back, and so—

BB: And he's excused, right? I mean—

JD: He was excused for, I think it was for a funeral.

BB: Yes.

JD: He just got caught in a hullabaloo, and he wasn't very happy. But he said, "I'll drive all night to get there." He told Ramirez that he was, he was on his way, and he'd be there before 8 o'clock in the morning, I think—

BB: But don't I remember, Ramirez was the guy that was stalling.

JD: Yes, he's the one who made the commotion.

BB: Yes, so he isn't in any hurry for Thoft to get back.

JD: No, no, no, absolutely no. Hope you don't make it. But when Thoft found out what they were doing, he said, "I will be there before 8 o'clock." Well, 8 o'clock was the magic hour. That was the next day. So they removed the Call the House by a vote. I mean, by that time they gave up, and everybody voted to remove the Call the House, and then the bill was...it was transmitted on time. I don't know what happened exactly, what. The rules, then, were...the deadlines were met. So, it was, it was funny. I mean, it was...people were camping, and there was people sleeping on couches and especially the old people, like Paul Pistoria and Helen O'Connell, almost killed them.

BB: Yes, that's bad.

JD: It was just terrible.

BB: Yes, that's bad. Jerry, you were also there when another kind of an important and interesting issue came up called the 7-percent solution.

JD: Yes.

BB: What do you remember about that?

JD: It was a special session after the '91 regular session.

BB: Were you the majority leader?

JD: Yes. We were broke. We'd overspent. We either had to cut the budget or raise taxes. Well, most Democrats didn't want to cut the budget. Of course, see, there was 61 of us and 39 Republicans. Well, they're certainly not going to cooperate with us. Why would you, if you're that small? So, Tom Towe comes up with this 7-percent solution, which is a surcharge of seven percent on every tax we levy in the state. It was, all went to the general fund.

BB: Seven percent across-the-board tax on every—

JD: Surcharge.

BB: Surcharge, yes.

JD: Yes, on everything.

BB: So, seven percent increase of gas, tax on gas, isn't that as an example?

JD: Yes. Not seven cents per gallon.

BB: But seven percent of whatever the—

JD: A gallon [unintelligible] was at 26, so seven percent of 26 cents is X, or whatever that is.

BB: Yes.

JD: And I didn't like the idea, but Dorothy Bradley was running for governor, and the primary was over. It was after the primary, and I do believe it was Racicot was our Republican nominee for governor. In the caucus, I said, "Now, what do you want to do?"

BB: Because seven percent across-the-board would give the state the amount of money that the Democrats wanted to spend.

JD: To balance the budget. Well, we'd already spent. In a regular session.

BB: So, to make their philosophy work, they needed just about 7 percent increase across the board?

JD: Yes. The surcharge, right.

BB: The surcharge, yes.

JD: Yes.

BB: And the Rs of course, didn't like that. They didn't want to raise the taxes, and they thought probably the expenditures were too great, anyway.

JD: Yep.

BB: But there weren't enough of them to stop it.

JD: Right.

BB: I mean, presumably the Democrats had a majority in the Senate, too?

JD: Yes. So, the caucus...I said, "Okay, what do you want to do?" And being majority leader, I felt obligated to do what the majority of the caucus wanted, even if I disagreed personally. Well, we argued for a while, and they finally said we'll do whatever Dorothy wants, she's the one that's running for governor. We got to support her.

BB: Said right out loud in the caucus?

JD: Oh, yes. But she wasn't there. So, I got to go find Dorothy Bradley. She was out campaigning. Explained the whole thing. What do you want to do? [She] said, "I want the 7-percent solution."

I said, "Really? It's going to kill us."

"Nope, I want the 7-percent solution."

"Okay." So, I go back and tell the caucus. Now, this is a couple days later. She wants the 7-percent solution. Oh, some of the people knew it was coming at us if he did this shit. But we did it. Now, remember Susan Good?

BB: I do.

JD: She was in the chamber. She was the Republican Party's—

BB: State chairman?

JD: Advisor. No, she wasn't state chairman, she was an advisor to the sta...or, to the Republican leadership. [Good was state chairwoman of the Republican Party.]

BB: And she was a representative from Great Falls.

JD: She wasn't. I don't think she was that session.

BB: Oh, I see, okay, yes.

JD: But she's down there just scribbling notes like crazy. And then gets the vote, of course it passed. Thirty-nine Rs vote no. I don't know if we got all 61 Ds, but it passed. Boy, did they feed that to us next election. Big time.

BB: But, what I remember, too, about that, was that then it went to the governor's desk, Stephens is the governor. Now, you'd think he'd veto the bill. But remember, he allowed it to become law, without his signature. So his fingerprints weren't even on it. I mean, there wasn't a single Republican in either chamber that voted for it.

JD: Yep.

BB: And the governor didn't sign it. Yet, it became law, so the finger of blame had to be pointed entirely at the Democrats, and it was a pretty darn significant tax increase.

JD: Oh, yes, yes it was.

BB: I think it probably helped the Republicans get the majority in the House of Representatives the next time.

JD: Yes, we went from 61 to 47. In one election.

BB: In the House. I think it might—

JD: In the House.

BB: Might have still kept a narrow majority in the Senate.

JD: We kept a narrow one in the Senate, yes. So—

BB: And that's when Mercer [John Mercer] first became Speaker.

JD: Yes.

BB: Your thoughts on Mercer?

JD: Got along with him fine, I liked him. He had his philosophy, like all of us. But he was honest, you know. You remember the...you probably were involved with it, Republican plan—

BB: Action plan.

JD: Action plan?

BB: Yep.

JD: Well, him and [Larry] Grinde, every...I was lobbying then, after '93, and I'd go in there and get..."Can I get a copy of your action plan?" And they'd say, sure; why?

I'd say, "I don't want to take any clients that want to oppose any of this stuff, because I know it's passing." So, it was...I think they had a plan then.

BB: Yes.

JD: You know, I mean, [their attitude was] we're going to do this. Certain things that we're going to pass, bills doing this and this. I understand it. They pass it to all elected Republicans, and let them modify, or do whatever. I don't know exactly how they did it, but by god, I'll tell you, when they put a bill in off that action plan, she went to the governor's desk.

BB: Yes. They'd given that some thought, I think. Mercer in particular. And do you remember the Contract for America that Newt Gingrich proposed in Congress?

JD: Yes.

BB: Well, that was going on at about the same time. The idea was that you tell the people, "Here's what we're going to do." And most of the stuff is popular. They'd done some poll testing on it, so they knew that it had, in some cases, a substantial amount of support in the state.

JD: Yes.

BB: And so then they'd...And all the Republicans knew this. So they could say at the next election, well, not all of it passed, but it doesn't mean we didn't use every bit of this we supported as Republicans. And it was pretty good politics, I think, really.

JD: Oh, I thought it was great politics. Well, one other story about Mercer, when he was minority leader and I was majority leader, and there was some people taking after something he wanted in his district, and I went to the Butte guys and some others, said, "We really don't want to do this. That kid's going to be around here a long time, and why do we want to mess with him over this stupid little thing?" Whatever it was.

So, I got enough Ds to agree with me, and I went over and told Mercer, "You keep your 39 in line, and you make this motion, and you will win. I guarantee it."

He says, "Really?"

I says, "Yes. We shouldn't be playing politics over this kind of crap."

He said, "Okay." So, he did, he won.

Then the next session, '93, we, pre-session caucus, put in what committees we want to be on, hand them in to leadership, and then they take it to Mercer, whoever. And they told me, "You're not going back on tax."

I said, "What?"

"No. Emily Stonington wants it, and you're not going back on tax."

I just left the caucus, went upstairs, found Mercer. Said, "Hey, John. They don't want to put me back on tax, but you get to make the decision. Can I serve on tax?"

He said, "Yes. Why, what the hell is wrong with them?" or something to that effect.

I said, "I don't know. But I'd like to serve on tax."

He says, "You got it. What else, what other committees you want?"

I said, "I don't care." He kept it up. I said, "Okay, I don't want to work Monday, Wednesday, and Friday afternoons; I'll take a Tuesday, Thursday and a morning committee. That's all I want."

"Okay, you got it." But they didn't understand, just because you got 61 votes, you can't call the other guys names, because they might be in charge. Like the old saying, "Be careful whose toes you step on going up, you might be kissing their ass on the way down."

BB: Yes, that's right. And term limits has changed that.

JD: Yes. Terribly. I always prided myself, I didn't have any enemies, and I mean, I think I got along with almost everybody up there, both sides of the aisle, House and Senate. Tried to get along. And hopefully I did.

BB: Oh, I think you did. You came [unintelligible] of the '94 landslide, then, right?

JD: Yes.

BB: You were defeated?

JD: Yes.

BB: Who was your opponent?

JD: Bonnie Martinez.

BB: Oh, really, yes.

JD: But I was so sick of campaigning. Three weeks before the end of it, I just quit. I only lost by 40-some votes. But then, I had two DUIs in '91.

BB: [laughs] I didn't remember that.

JD: Then I voted for that 7-percent solution. And I voted for the old-fund liability tax [Workers' Compensation]. And that kind of did me in. But, that's the way it works.

BB: Explain that quickly. How did that work, now? We had a huge debt in our workers' comp account. And so, the idea was to create a new fund—

JD: A new tax.

BB: A new tax.

JD: And we created a new fund.

BB: Well, explain that, can you?

JD: Okay. Gene Thayer from Great Falls, senator, Republican—

BB: Republican senator.

JD: He had a bill that would take the control of the workers' compensation away from the Department of Labor, and put it under where it is now, a board. So the thought was, and it's worked, there'll be less ability for anybody to play politics with the rates. That part has worked. But we still had to pay off the old fund, which was hundreds of millions of dollars. Steve Benedict, Republican senator from, I think Hamilton. He had a bill that would put a one percent tax on gross payroll for the employer and the employee. So, it was two percent of gross payroll. He wanted me to sign it, and I said, "I'll sign it, but I'm not voting for one percent. That's too much money. And I'll be looking for the whole session to find other monies, or get this rate lower, somehow. But even though I sign it, if it comes to the last vote, and I have to make it, it's still at one percent each, I'll vote no." Well, I did sign it, and then through the Budget Office and LFD, and other things, running the numbers, we got it down to a half-percent on the employer, and two-tenths of one percent on the employee. Now, the Democrats are really not too happy with me for putting a workers' comp tax on employees, but—

BB: That's the co-pay concept, right?

JD: Yes. And we didn't have, we didn't have any money. So, that didn't help me get re-elected. But it worked.

BB: But it seems like such an infinitesimal amount. I mean, two-tenths one percent.

JD: Is 1 dollar out of a 500-dollar-a-week wage. I mean, it's not much.

BB: Was it the principle?

JD: Yes, the principle.

BB: Because the idea was the employees, and they take care of the...that employer takes care of the employee, so the employee doesn't sue him. That was the whole idea of workers' comp.

JD: Right. That was whole idea. But then, we got such big trouble with that fund. I mean, it was, I think at one time it was 330 million dollars.

BB: So, that was used to bail out the old fund?

JD: Yes.

BB: The surcharge?

JD: Yes.

BB: And so, then where did the new fund come into the picture?

JD: Well, it started up in July of...I think it had already started in July of, July first of some year. I can't remember what year it was.

BB: This would be in the '90s?

JD: Yes, early, early '90s. That's when they appointed the board and hired a director and all of that stuff. But it was supposed to keep politics out of the workers' compensation insurance fund.

BB: In other words, that the rates would be kept lower than they could—

JD: They would be actuarially sound.

BB: Yes. We wanted it to be actuarially sound.

JD: Right.

BB: And by playing favorites and low-balling estimates, and that sort of thing, it wasn't. And that's what caused the 300 million dollar problems.

JD: That's one of the reasons that caused it, yes. See, Governor Schwinden, after the '85 legislative session, appointed a committee to study how we could fix workers' comp, because it was starting to go down the tube, bad. There was 18 of us on the committee. He pointed me. And then it was political. I mean, at that time, the director of workers' comp was appointed by the commissioner of labor, I'm sure, with the governor's okey-dokey. But then they start

playing politics with the rates. No wonder you go broke. So, we came up with a bill to help fix it. I mean, there was insurance companies, attorneys, doctors, all kinds of different people on there. Couple legislators. And Robinson—

BB: Mick? Or Bob—

JD: No, his brother, Bob.

BB: Bob Robinson.

JD: He was the director of work comp. He threw our plan on the garbage and introduced his own bill. Which he could do, I mean...and that's what really put it off, oh man, that just started this slide, worse. Well, it was, the concept was, if you get an impairment rating from a doctor...an impairment rating is if you cut off a finger...Here was my theory, you're an attorney, you cut off a finger on your left hand, but you're right-handed, you get an impairment rating because you ain't got no finger anymore. Well, that was worth X. But the '87 bill, it said any impairment, you've got 500 weeks of permanent partial disability. If you had a one percent, or a 50 percent, you got 500 weeks, that's it. Well, that didn't work. I mean, anybody get a one percent impairment and get 500 weeks. Then you get somebody who's really hurt, they get the same money. It doesn't make sense.

BB: That's crazy, yes.

JD: And we broke...I mean, they broke it. I mean, that fund—

BB: Was that what Bob Robinson's proposal is?

JD: Yes.

BB: I see. So, that said, that would be in the early Racicot administration, because Robinson was a Racicot official, wasn't he? Well, maybe he was—

JD: I don't know if he was, when he was at workers' comp—

BB: It might not have been when he was there.

JD: It might have been a Schwinden, might have been Racicot. It wasn't Stephens, I'm sure of that. Well, who knows.

BB: Well, Robinson was in Racicot's cabinet, for sure. Whether he was in Stephens'—

JD: Bob or Mick?

BB: I think they both were.

JD: Okay.

BB: They were both, anyway, upper-echelon guys in the Racicot administration. They were part of the Carroll College group with him.

JD: All right, okay.

BB: But that doesn't mean they both weren't in state government in the Schwinden adminis...or, I mean in the Stephens administration, either. They might have been.

JD: I don't know, I can't remember. I mean, oh, well. But that was a fiasco.

BB: And the, didn't Racicot appoint Rick Hill?

JD: Yes.

BB: To look heavily into workers' comp and that sort of thing?

JD: Yes.

BB: Did you work with him on that?

JD: Well, by that time, the first guy that ran that was named Pat Sweeney. He was an insurance man, but he originated from Anaconda. And he read, you know, he did all the work and he said, "Shit, you got to raise some of these rates. They're completely out of whack with the risk that you're taking." Well, he did that. He raised the rates. And then, Rick Hill got mad at him and Racicot appointed Rick Hill as chairman of the board. And they got rid of Sweeney and put Carl Swanson, I think his name was, in there.

BB: Right, I remember the name, yep. He was there for a long time.

JD: He was there for a while. But then he got, he got greedy. He had a board, he could just get anything he wanted out of them. Well, he had three pensions as a state employee. Well, when [Chuck] Swysgood was budget director for Judy Martz, when he found out about it, hit the paper, he was madder than hell. And I was down on the second floor of the Capitol, I was lobbying at the time, there was Tom Beck, Swysgood, and the governor.

BB: Two Republican senators who had gone to work for the governor.

JD: Yes. And Judy. They said, "Come in here, Jerry, we need to talk to you. You know about workers' comp. We're going to get rid of that state fund and make it private."

I said, "Well, yes, you can do that, but you got to have an assigned risk pool for the little people who the insurance companies don't want."

Well, Swysgood was so damn mad, he just [said], "I don't care, let's do it."

Well, Tom Beck and the governor kind of [replied], "Well, wait a minute, slow down here."

I explained it to Judy. I said, "Here's my example. You are a small businessman, maybe you're selling insurance. And you've got three or four office people, that that's all they do is quote rates, and they're called clerical. The rate for that is like 50 cents per 100 dollars. And the insurance companies don't want you. So, you have to go find it. There has to be an assigned risk pool. Somebody's got to insure that, because the law says you got to insure them. That's my best example." Well, she calmed them down, and they didn't do it. But they did get rid of Carl. Remember the rabbi trust?

BB: Yes, I think so. It was a way or something we could cover the retirement of somebody that they hadn't ever—

JD: Well, no, it was for him. It was another pension for him.

B: Yes.

JD: He had maxed out his PERS.

BB: Right, so, yes. So they created a separate, what they called the rabbi—

JD: They called it a rabbi trust. Now, why, I don't know why it was called that, but they did that. [A deferred compensation program.]

BB: Yes, I do remember that, too. Any thoughts, impressions, comments on Senator Baucus? Someone that you served...all the time that you were in the legislature, he was United States senator. You might have had some dealings with him, maybe a story?

JD: I had dealings with Baucus way back to when he was running as...I don't know if it was the first time he ran for the Senate, or last time he run for the House, I can't remember. But he stayed overnight at my house when he was out campaigning. I have twin boys, and they were about two or three years old, four years old maybe. The senator got along with the kids good. In fact, my one son, Jay, ended up going to work for Baucus. So, I thought he did a pretty good job. You know, some of the radical Ds didn't like him.

BB: Felt he was a little too moderate?

JD: Well, their words were, he's turning into a damn conservative.

BB: Oh, really?

JD: In fact, you remember Darrell Holzer?

BB: Darrell Holzer was a—

JD: COPE director, AFL-CIO. When Senator Baucus voted in Congress against, I think it's urbanomics, how you do certain kinds of jobs and make business do it, Baucus voted no. Well, at that election, that Taylor, or the guy that's from up there by Kalispell, was a [state] senator?

BB: Ran for the U.S. Senate?

JD: Yes.

BB: Mike Taylor.

JD: Mike Taylor. So, the primary is over. It's Mike Taylor and Baucus. We're in a special session again, in the summer, and Holzer's just madder than hell. Out by the coffee bar, he announces he ain't never voting for Baucus ever again. Look what he did. I said, "Well, you going to vote next election?"

"Probably."

"Well, the other choice is Mike Taylor. Good luck." And—

BB: But what did he do that bugged Holzer so bad?

JD: It was something about how you regulate OSHA in the workplace.

BB: Okay. And he thought he was watering down the OSHA standards, some way or other, the enforcement or something?

JD: Yes, yes.

BB: Yes, I see. Wow.

JD: I thought, "Well, don't be a jerk." I mean, I thought Baucus voted pretty well. Another story about Baucus, not, he didn't know this, but when they had the...There was some tax bill. I think it might have been, they call it the death tax. I'm not positive it's that or not. The Montana group, [Dennis] Iverson and his group, they wanted to hire me and send me back to D.C., all expenses paid and a pretty good salary, to talk to Baucus into voting the way they wanted on

that bill. I said, "No. I hope he don't do it. I think it shouldn't pass." Oh, okay, well, I don't get the money, I don't take the job, I don't get to D.C., and he still voted the way they wanted.
[laughs]

BB: [laughs] So, you could have got the credit for it.

JD: I could have got the money and the credit for—

BB: Everything.

JD: Yes. For doing nothing.

BB: A couple more things, and they kind of blend together. I'm going to kind of ask you...We've touched on a little bit already. How the two political parties have evolved over the course of time that you've been involved, beginning in the early '70s. You know, whether the Democratic Party is still substantially the same party, the effect on it of the environmental movement, some of the stuff we've talked about. Maybe how you see the Republicans. But I know you became the executive, is it secretary or director, of the AFL-CIO?

JD: Executive secretary.

BB: And that's the real—

JD: That's the guy that gets paid, and does the...has the power.

BB: Has the real power. And the president is, not maybe a figurehead, but almost.

JD: The president of the executive board is exactly...the exact title. You run the executive board meetings.

BB: Yes. So, anyway, you had been president of the state AFL-CIO, then you became the executive secretary.

JD: Yes.

BB: And when did that occur?

JD: 2001.

BB: Okay. And you did that for, what, four or five years?

JD: Four years.

BB: I don't remember, Jerry, whether it happened then or not, but there was a big schism in the AFL-CIO, and the faction that felt they got the short end of the stick, formed their own group called the Progressive Labor Caucus.

JD: Rumor has it, yeah.

BB: And a friend of mine and of yours who has passed away, Jim McGarvey, used to refer to them as the "poor losers club."

JD: Yeah, yeah.

BB: Can you kind of just explain what happened? How you, how you got into the job, maybe where, I don't know, how exactly that PLC thing was...Was it about that same time, I think?

JD: Well, I, well, like I said earlier, Judge testified in a Senate committee—

BB: Don Judge?

JD: Don Judge. Against a bill that the building trades wanted. So, they talked me into running against him for executive director, and then the people who were...didn't like me, but liked Judge, they withdraw and start this Progressive Labor Caucus. Now, there wasn't...I mean, there wasn't very many of them.

BB: Yes. I know Gene Fenderson—

JD: Fenderson was one of them, and a couple others. The teamster from Billings. There was, you know, it was hard feelings, just the breaks. That's what I was saying earlier about union politics. It's way different than—

BB: But you were regarded, I think, maybe as more pro-business, because I know Judge, then, went to work as an environmental lobbyist.

JD: Yes.

BB: After he'd lost his job. And so, there was probably a sort of a philosophical schism along those lines?

JD: Well, there always was with me and him over philosophical—I don't know why. I made a speech to the Republican Party one time at the Helena meeting, and I said, "I like business. We just want our share. Maybe you don't agree what our share is, but I understand economics. The worst thing you can be as a union organizer is trying to get a raise out of a bankrupt employer. Don't work real good." I made a statement if...because they were talking about 20,000-dollars-a-year jobs, and I says, "I don't want any 20,000. I want 40,000 or bigger. But I also understand,

if I want to make 40, I got to produce 80." That's just economics. Got nothing to do with wants and all that stuff. It just the way it is. They didn't like that. So—

BB: Who didn't like that? The Republicans?

JD: No, I mean, no, the Progressive Labor Caucus guys.

BB: Yes, they didn't like that, yes.

JD: Because I was selling out to business. Well—

BB: Where's the union movement now? I mean, there's a guy named Ekblad [Al Ekblad].

JD: Ekblad.

BB: How would you categorize him?

JD: Well, when I ran it he worked for me as one of those training directors. And how he got to be executive secretary, I don't know. I quit going to any of their meetings. He's an all right guy. I don't think he gets out there and challenges anybody. He won't go up on a hill and make a stand. We're for this.

BB: Has he made peace with the PLC, do you think?

JD: Oh, god, they're gone.

BB: Oh, they're gone.

JD: Yes, they just bankrupt and went away. They went away, oh hell, after about two-and-a-half years. They just disbanded because they had no plan. I mean, all they wanted to do was raise hell. And get in bed with the enviros.

BB: Jim Murry has returned to the state. Was he sympathetic with them, do you know?

JD: I don't know that he was sympathetic with their cause. I know a lot of the people that were involved with that were friends of his.

BB: Well, I know Judge was a real protégé of Jim Murry.

JD: Yes, yes.

BB: So, that's kind of what made me ask that question.

JD: Well, yes, I don't know. Murry was...He's a different kind of guy, you know. He could, you know, when Schweitzer appointed him political action, or political director, whatever the hell they call it, commissioner of political practices, there was a bunch of people applying, and then in the newspaper, the last day there was four or five names, more names added to it. There was Jim Murry's name. I'm sitting in Jorgenson's reading a newspaper, and [someone asked], what are you reading? [They] said, who's going to be commissioner of political practices?

I said, "It's going to be Murry. I'll bet you 100 bucks."

"Well, how would you know that?"

I said, "Well, he was a campaign treasurer or something for the governor. Been around a long time." I talked to him after he became that. I said, "I know what your job is. You've got to make sure the governor ain't found guilty of violating that Political Practices Act."

So he kind of giggled, "Ah, I got to do more than that." You know, shit. Well, then he hired Jim Goetz from Bozeman to handle the case.

BB: Right. Well-known lawyer.

JD: Yes, and good friend of Murry's. Real good friend. Of course, Goetz finds it not guilty. Well, then the next...they weren't...it came up for confirmation by the Senate, and he sent a letter saying, I don't want it. I don't want to be confirmed, I don't want the job. I'll be out of here May 1, just like the law says. Well, Brad Molnar—

BB: Public service commissioner.

JD: Yes.

BB: Republican, yes.

JD And the guy from...former senator from Laurel.

BB: Ken Miller.

JD: Ken Miller. They hate Murry. So, they insist they have a hearing. The chair of the committee, Republican, starts to have a meeting about Murry's qualifications to be commissioner of political practices, and whether he should be confirmed or not confirmed.

BB: And Murry isn't even in the...he doesn't even want the job.

JD: He doesn't want the job, he ain't there, and he sent a letter, said, I don't want the job. Finally, a couple of Republican senators said, what in the hell are we doing, wasting our time?

He don't want the damn job, so even if we do confirm him, he ain't going to take the job. We're just wasting our time and listening to this BS. So, they shut it down, but it was funnier than hell. He don't even want the job, but. [laughs]

BB: Talk about a bungled execution.

JD: Yes. Just because he had found—oh shit, I can't remember what the hell the case was, but there was something that he did that they didn't like.

BB: [laughs] Jerry, we're just about out of time.

JD: Okay.

BB: And we've covered this actually pretty well, I think, anyway. I thought I'd ask you how you see politics evolving today. We've already talked a little bit about the Democratic Party was more...the AFL-CIO had greater influence a few decades ago than it has now. The environmental movement has more influence now than it had.

JD: Yes.

BB: Maybe you could extrapolate, if you'd like to, a little bit more on where you see the Democratic Party now, and then also the Republican Party. You've been a close observer of all of this, and I think, when you started out in politics the two parties were more accommodating with each other, and was before term limitations, and so on. Just what are your impressions as a, just as a watcher of this stuff? The way that—

JD: Well, both parties are getting full of radicals. Now, the Rs call themselves conservatives, I call them radicals. The Democrats don't like the word liberal anymore, so now they're progressives. I don't know that they're representing the people. It's amazing to me that that these people can even get elected, but they can, now, up in your country. [Bruce] Tutvdt. You know, they took him, tried to take him out in the primary. And all over the state, they've tried to take out people in the primary. And I told you earlier, the Ds, if you're not endorsed by the League of Conservation Voters, you're going to get a primary. I mean, if there's time. So the radicals, right and the radical left, have taken over both political parties. It's not good, but it's what happened. And, you know, I blame myself somewhat. I should have stayed more involved and tried to stop it. I didn't. I don't know if I'll ever go back. People ask me, you know, I personally still donate money to candidates. And I was thinking about this a couple weeks ago, so far this election cycle, I've given 600 to the Democrats, certain ones, and 500 to Republicans. But they're not the kind that the parties like.

BB: Yes, right. In either case.

JD: In either case.

BB: In either party, yes.

JD: It's just, well, I thought Tutvedt was probably as good a senator as you...up there since you. Maybe you were better, but he had a brain. And they tried to take him out. Once they tried to take out Rob Cook [from Conrad] in the House, Christy Clark [from Augusta], [Jeffrey] Welborn [from Dillon]. Man, these people try to get something done, and think, and they're not no pushovers for anybody, but they're not—

BB: They're individual, independent thinkers, and they're not going along with the program. And yet, you've got these people who consider themselves Libertarians.

JD: Yes.

BBL But the Libertarians don't have any tolerance for anybody who doesn't agree with them.

JD: Right. [laughs] But then, in the House...well, in the Senate, Ds. There's about three real Ds, in my opinion.

BB: Jimmy Keane?

JD: Yep. Vuckovich [Gene Vuckovich].

BB: Yes. From Anaconda.

JD: And Windy Boy [Jonathan Windy Boy from Box Elder].

BB: And Windy Boy, yes.

JD: Now, some of those people, they are not Democrats. I'll tell you one more story about this guy from Big Timber who's a big Tea Party man, and gold standard guy. This was 2006 session. Or, what was it; it could have been '06, '07.

BB: Yes. I think I...name's on the tip of my brain. It's not—

JD: Faw. Larry F-a-w. He's from Big Timber, and he asked me if I know Norm Star from Big Timber. Which, I do know him. He's a rancher down there. Don't know what party he belongs to.

BB: Well, he was a WETA official of some kind—

JD: Yes, he was a WETA official, yes. Anyway, he says, "How many Democrats are in the Montana House?"

I said, "Six."

"Six. Says the sheet here, there's 39 or 40 or something."

I said, "You said, Democrats. Not people that say they are."

"Oh, okay. Well, how many Republicans?" I said, "Twelve."

Now, back in...when you and me were there, there wasn't...We wouldn't have tolerated that crap. Just go away.

BB: Well, I hope it gets back to some kind of an equilibrium.

JD: Oh, I think it will.

BB: I think it will, too. Because I think it doesn't make sense for it not to.

JD: Right. It's just that the people are going to say, "You guys are not getting nothing done." Except fight, fight, fight.

BB: Yes. Anything else?

JD: Not that I can think. I just wanted to mention the...In your letter, you said something about people I served with.

BB: Yes.

JD: And I was thinking about this. You know, in the Democratic side, all the Butte-Anaconda people, Rex Manuel. But on the R side, Ed Grady.

BB: Republican from Helena.

JD: Yep. Bruce Simon, Republican from—

BB: From Billings.

JD: Swysgood.

BB: Chuck Swysgood, Republican from Dillon.

JD: Yep. Gerry Devlin. Republican, Miles City. Clyde Smith, Republican from Kalispell. Dennis Iverson, Whitlash—wherever the hell that is.

BB: Republican from up on the Hi-line.

JD: Yes. But those are the people I got along with, and could work with, among others.

BB: And Harp, you mentioned, too.

JD: Harp, oh yes, I keep forgetting Harp. Yes, when I got beat, John Harp came up—he was majority leader of the Senate, I believe.

BB: Yes.

JD: And he says, “Jerry, we didn't intend to get you.”

I said, “Well, doesn't matter what you intended anymore. You got it.” No, I got along with Harp really well. I like him. I like Grinde and I like Mercer. How come Mercer didn't show up?

BB: He, his daughter was taking a college entrance exam, and the test was up in Kalispell. It was on a Saturday, and he had to drive her up there. Wanted to.

JD: Okay.

BB: He said, “I just have to make that choice, and I'm going to take my daughter up to take the test.”

Well, sir, I sure appreciate your service, Jerry. And—

JD: Appreciate yours. You were there for 30 years, weren't you?

BB: Twenty-six.

JD: Twenty-six.

[End of Interview]