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Introduction

The Regional History Project conducted a dozen interviews with for
State Senator Henry J. Mello from June to August, 1998. One of the most
and influential legislators in the history of Central California politics
history narration illuminates the extensive personal archive he dona
UCSC's University Library which documents his political career and the m
local and state issues with which he was involved during his time in offi

A Watsonville native, Mello was born in March, 1924, the child o
immigrant Portuguese family from the Azores. He grew up speaking
Portuguese and working with his father in the family apple business
attended Watsonville High School and Hartnell College. He established wi
father a family farming business in 1940, founded the Mello Packing Compa
1948, and the Central Industrial Sales Company in 1965.

From the mid-1950s on he was involved in many local charitable and
profit organizations, worked in Democratic campaigns, and was elected t
Democratic Central Committee. His political career began in 1966 when h
elected to the Santa Cruz County Board of Supervisors, where he served
1974. As a moderate Democrat in what was then a nominally Republican dis
he was elected in 1976 to the State Assembly representing the 28th distri
he served until 1980. He was elected to the State Senate in 1980 in wha
the 15th District and as a freshman senator was appointed to the Senat
Committee (1983-1992) and elected Majority Whip (1981-1992), two of
body's most powerful leadership positions. In 1992 he was elected Ma
Leader.

Mello was term-limited out of office in December, 1996. Although
philosophically opposed to term limits he nonetheless accepted his mand
retirement gracefully. Upon his retirement one newspaper characterized h
the "great graying grizzly bear of California politics," an old-style
Democrat whose career was animated by his bone-deep dedication to his
district, and his tireless efforts in behalf of its economic welfare. F
former GOP Senator Bill Campbell, described Mello as "the only Democrat
Senate with any extensive experience as an entrepreneur," one of the l
dying breed—the citizen legislator. Mello's approach as a Democrat was d
from his mother, an open-hearted, socially liberal Democrat, and his f
fiscally conservative Republican. Mello said he integrated these two sid

inheritance into his politics. His agenda has included dedication to his
constituents' issues such as land preservation, gay rights, an assault gu
environmental issues. His reputation for "bringing home the bacon" fo
district has engendered praise and condemnation; notwithstanding the cri
he always paid scrupulous attention to his constituents' needs, neve
anything (or any election) for granted, and in a Republican district, ne
serious election challenge.

The volume is divided into four sections, including Mello's early
life; his experiences in local politics as a member of the Santa Cruz Co
of Supervisors; his election to the State Assembly; and his tenure as St
from the fifteenth district.

Mello begins his narration with the story of his early life and
history, with anecdotes about the local Portuguese community, his high
years, and work in his family's apple farming and cold storage busine
initial foray into politics began in 1950 when he was a Democratic vo
during the senate campaign between Richard M. Nixon and Helen Gahagan
Douglas. His local public service career began when he served as a mem
the California Agricultural Advisory Board and as a fire commissioner.

His discussion of his early political career includes his tenure as
of the Santa Cruz County Board of Supervisors and the issues facing tha
including the preservation of agricultural land and related environmenta
the founding of the UC Santa Cruz campus, town-gown relations, and
relationship with UCSC's founding Chancellor Dean E. McHenry.

Mello served two terms in the State Assembly where he began his l
involvement in senior issues as chairman of the standing Committee on A
and also became an influential member of the Ways and Means Committe
During his tenure as State Senator, Mello had a singular legislative
frequently having more bills signed into law than any other senator. Hi
includes a remarkable legislative record in initiating senior citizens pr
innovative Prison Arts Program (arts in the prisons), bilingual educat
statewide economic development.

His commentary on his role in obtaining assistance for his district
1989 Loma Prieta Earthquake; in creating a visionary plan for the conve
Fort Ord; and his efforts in behalf of UC Santa Cruz demonstrate both
consensus-building skills and his great imagination in crafting bills.

During his tenure, Mello carried 727 bills and resolutions, of wh were signed by the governor and the remainder integrated into other b vetoed. He authored over 120 bills dealing with seniors, includin establishment of the California Senior Legislature; the first programs f Alzheimer's including respite care, adult day health care, and Multip Senior Services Programs; important changes in laws affecting conservat and elder abuse; funding for senior meals programs, and nursing home re He has been called the Claude Pepper of California, and is held in high r seniors throughout the state for his work in their behalf.

The volume includes Mello's thoughts on the legislative process, t of lobbyists, the use of media in campaigns, the culture of the State S his reflections on the governors with whom he worked. He also discusse relationship with United Farm Workers founder Cesar Chavez and his views relations between farmers and migrant farmworkers.

These interviews were transcribed verbatim and edited for continuit clarity. Senator Mello graciously provided us with the frontispiece pho Copies of this manuscript are in the Bancroft Library, University of C Berkeley; Special Collections, University of California, Santa Cruz; a Watsonville Public Library and the Pajaro Valley Historical Associatio manuscript is part of a collection of interviews on the history of S County which have been conducted by the Regional History Project. The Pr is supported administratively by Christine Bunting, head of Collection P and University Librarian Allan J. Dyson.

Randall Jarrell

December 7, 2000
Regional History Project
McHenry Library
University of California, Santa Cruz

EARLY LIFE

Childhood

Jarrell: To start, Senator Mello, I would like to focus on your family background, your early years. Where and when were you born?

Mello: March 27, 1924, in Watsonville.

Jarrell: Were you born at home or in a hospital?

Mello: In a hospital. Our current hospital is the fourth in Watsonville, and I lived about two miles from where I live right now, in Corralitos and Green Valley . . . up there.

Jarrell: Tell me about your family background, about your father and your mother.

Mello: My father immigrated here from Portugal in 1906 as a twenty-year-old. He came to Santa Cruz County and worked up in the San Lorenzo Valley for the Cowell Lumber Company. Since he couldn't speak English, he wanted to go where there were Portuguese relatives or friends. So he went to work for Henry Cowell immediately and because he was a good worker, he became a foreman and a lumber grader over the period of time he was there.

My mother was born here in Watsonville up in Green Valley and was home-delivered. My grandmother and grandfather came here as a young married couple from Portugal in 1874. She was fifteen and he was sixteen.

My mother was born in 1890. When my grandparents came here they had thirteen children here in Watsonville. And their name was Travers.

Jarrell: So you are related to Ray Travers?

Mello: Yes, Ray Travers was a cousin of mine; his father and my mother were siblings. They say when people get married at that age that the marriages don't last, they're too young . . . Well, their marriage lasted until my grandfather died at age 46 and my grandmother was 42, and left with thirteen young children. I asked her once if she didn't think at that time she could have remarried. She said, "I had several men interested in me, but I only know one man in my life." She was very religious. During the Christmas holidays she'd put up an altar in the living room there, and she'd say the mass during the nine days before Christmas. It was a real tradition in the Catholic religion. So we'd go every night. We youngsters would kneel on the floor and the older people would get to sit down, they'd kneel down too, and they'd go through the rosary, but a Mass too, all in Portuguese. I made a recording of her back before she passed away in 1949.

So that was the background my grandparents came from . . . my father's parents stayed back in Portugal. My dad's side had nine children in the family and my mother's had thirteen. There's a lot of strength, I think, and there're a lot of weaknesses too, in large-sized families like that. Right now because of economics, people have a hard time raising more than two, three, or four children. But in those days you lived off the land, and they farmed and they had all kinds of food.

Jarrell: And children were part of the labor force, too.

Mello: That was for sure. My grandmother was part of the labor force even after her husband died. The ironic thing about my mother was that when she married my father in 1911, he was an immigrant here from Portugal, from the Azores Islands. In fact about 95 percent of the Portuguese in California are from the Azores.

They got married in 1911. Five years after my dad arrived here, she was living here in Green Valley. The law at that point was that because so many immigrants were coming here and a lot of people were marrying immigrants, Congress passed a law that said that any United States citizen who married an immigrant lost their citizenship rights. You've probably never heard of that law.

Jarrell: No, I haven't.

Mello: Not many people have.

Jarrell: So if you were a United States citizen and you married an immigrant, you, the citizen, would lose your citizenship rights?

Mello: That's right. Although my mother was a native-born citizen, love is a powerful thing, so they got married. At that point it didn't mean too much to them because women's suffrage didn't pass until 1920, and they didn't have social security. Being a citizen was just being a citizen. As time went on, it was really something that they took away people's rights like that. The Supreme Court in 1939 overturned that statute.

But in the meantime my father in about 1932, I was just very young at that point, said, well you know we're here now in this country raising our family and in business . . . we had an apple orchard and apple business. He said he wanted to be a citizen. My dad hadn't gone to school a day in his life. In Portugal when he was growing up there was a monarchy, and they didn't really try to educate people because the monarchy could survive if they had a lot of illiteracy. It was a peasant culture. So he came here with no education at all. So finally, to get his citizenship papers he applied to be naturalized . . . and my sisters and I taught him how to read and write. The school was close by and we got him first and second grade books.

Jarrell: You were just a little kid.

Mello: Yes. One of my sisters was about four years older than I, about twelve. He went over to get his papers the first time and he answered almost all the questions right, but he couldn't answer, who was the sixteenth president of the United States? Abraham Lincoln. Who was the father of our country? The judge said, "Well Mr. Mello, you've got a good record but you just can't quite qualify. But don't give up. I'm going to have you study some more and come back and we probably can pass you next time." He was determined, so he came back and we worked on him again, and sure enough he went and got his citizenship papers. That was sometime in the thirties.

His first time to vote was, I think, in 1932 when Franklin Roosevelt and Herbert Hoover were the candidates. We got the ballot and explained it to my father. My mother said, "This is terrible. I'm born right here but I can't

vote. Your father came from six thousand miles away and here he is voting! And we're trying to instruct him how to vote. That's not fair." I told my mother the only thing was for her to go ahead and apply to get her citizenship papers too. It was unfair. They took it away but they didn't deny you the right to become naturalized. So she got naturalized about 1934 or 1935. By 1936 both of my parents were naturalized.

Several African-Americans and others have said to me, "Henry, you don't know what discrimination is." You know, against the blacks and other ethnic groups. I said, "Well, we didn't ride in the back of the bus and we weren't denied housing, but some of us nearly lost the right to vote. Senator [Diane E.] Watson said, "Well we had to pay a poll tax." I said, "Well, my mother couldn't pay the poll tax." I said that there's no greater discrimination than taking the vote away from you. That's the worst. She couldn't believe it. I've very seldom told this to people, but I think I have to in order to kind of make people aware of that . . . we are a great country . . . and we see things like the Japanese-Americans being sent to relocation camps, people losing their citizenship, people couldn't buy land . . . but as great as we are we have the ability to overcome those things. I get very emotional. My parents were very loyal. Most people come here from a land of no opportunity and poverty, and they just love our country.

Jarrell: So your father worked at Henry Cowell Lumber?

Mello: Yes, he worked until he got married.

Jarrell: How did he get into agriculture, into apple growing? He must have had quite a struggle, starting at the bottom. He was a laborer and then worked in the lumber business.

Mello: He said many times that he'd come over with ten dollars in his pocket. It took them two weeks to get from the Azores to Boston on a cattle ship. Then they took a train across the country.

He started dating my mother up there at Green Valley. One of the other brothers, David Mello, would go with him sometimes. They'd go on horseback, horse and buggy. David married one of my mother's younger sisters and they had two children, Gilbert Mello and Virginia. So they are double cousins of mine.

While my dad was dating and then married to my mother, he accumulated some money. He started out getting very little, about eighty dollars a month with room and board. But by getting room and board they had no expenses, even getting a haircut. They'd cut each other's hair.

My father had two brothers down in Merced County, in the Livingston and Atwater area.They told him to come on down, that there was some land that he could lease and farm. So he did. He went down there and farmed sweet potatoes, and cantaloupes and things like that. But my mother didn't like the climate down there. It was just so hot. So after a while she said, "I'm going back to Watsonville and if you don't want to go you just stay here." So my dad came back and then from the money he had earned down there plus the savings that they had, they bought a little ranch up in

Green Valley, some nice farmland. From that he bought another ranch and he bought property. He got in the apple business and we built a cold storage plant. My father and I had an apple dehydrator. Without being able to read and write, he was a good businessman. He worked hard. He was good in math and could figure things out very quickly.

My mother had good business principles too. My dad always wanted to buy more land, because when you come from the Azores there's no new land available on the market. You have to wait until somebody dies. So when he got over here and saw land at fifty dollars an acre he kept wanting to buy some. Sometimes he didn't have all the money and then he'd have to pay so much down and pay it off. But my mother said, "No, you have to have all the money. We're not going to go in debt. Pay for what we owe." But that's how we got started.

Jarrell: How did the Depression affect your family's fortunes?

Mello: We felt the Depression less than a lot of other people in our same community. We used to go downtown and see the soup kitchen in Watsonville, a line of two or three hundred people by the fire department. I saw it many times. But being farmers . . . my dad had chickens; we'd raise pigs and had some cows and we'd have our own milk. Then there was a big, huge garden . . . he was a tremendous gardener. Everything he planted just came up . . . and my mother was a good homemaker and she canned a lot of things. So during the Depression there was no difference in our ability to put food on the table. We'd butcher a couple of hogs each year, or

sometimes we'd have a steer. We had chickens and eggs, and sometimes raised rabbits. My mother made bread in those days.

Jarrell: What about your father's business?

Mello: Well the business went down because he couldn't sell the apples for much money. One year he sold the apples to somebody and the guy went bankrupt and never paid him. That put us back quite a bit. But we just struggled along. Fortunately we were liquid enough and didn't owe a lot of money . . . that's where my mother was right. If you owe money and there's a Depression then you're in big trouble. But my mother insisted on being out of debt. Well we were in debt a few times. When we built our business, I was a partner with my father, and we borrowed money. It was always a discussion with him because he'd say, geez, I hope we get out of debt before I die. He just didn't like having a debt or leaving a debt to his kids. I had two sisters along with myself. One was Elsie, my younger sister and the other was Eraldine. Eraldine was married to a Furtado and Elsie was married to a Ribeiro. They all lived right here.

Portuguese-American Community

Jarrell: Tell me about the size and the extent of the Portuguese community here in Watsonville.

Mello: When the census is taken they don't count Portuguese separately; they include them in with the Hispanics. I'm Hispanic. I'm Portuguese. But we're lumped in with the Hispanics. And they say, "But you're a European Hispanic."

Jarrell: As opposed to a New World Hispanic?

Mello: As opposed to Mexico, Latin America and South America are what our local Latinos are . . . although they are not in full agreement either. But mainly from Central America and Mexico, and part of Columbia and Ecuador and Chile, places like that, they call themselves Latinos.

I started to say we're not counted separately, but there're an estimated three thousand people of Portuguese background in the Watsonville area. Santa Cruz has big Portuguese fiestas. We have the Holy Ghost Society in Watsonville and Santa Cruz has one. They have their own halls such as the Portuguese Hall at Harvey West Park. There's one on Atkinson Lane in Watsonville. Hollister has one. Gilroy. Salinas, Monterey. All around . . . up and down the valley . . . from Chico clear on down to Ontario and Chino and San Diego has a large Portuguese population. There're about a million Portuguese in California. They're centered in the agricultural area of the valley, and the coastal areas, even up near Mendocino and places like that they had a large settling of Portuguese. Because they were whalers and fishermen . . . and San Francisco. So right now, even Oakland and San Leandro have large Portuguese populations and on down to Newark. San Jose has the largest in the state. Santa Clara County has a hundred thousand Portuguese. The city of San Jose has 60,000 and the county as a whole, that includes Sunnyvale and Mountain View and then on up to Milpitas and Newark where there're a hundred thousand. San Diego has about 40,000. Then you have areas like Hanford, Tulare and Fresno . . . they have large populations in the dairy business. About 70% of the dairies in

California are operated and owned by Portuguese who came as immigrants and they've handed them down to their children . . .

Jarrell: Over the years have you been involved in Portuguese fraternal organizations?

Mello: Yes. I've never held office in them because you know I've had other things . . .

Jarrell: Right. But you're connected, yes.

Mello: Yes, I'm connected with them. In fact here in Watsonville I'm involved and I'm a member of the Luso-American Society, a statewide group. They're worldwide and help with scholarships for education, send Portuguese children off to universities. Two weeks ago I was in San Jose at a luncheon where they awarded eighty different scholarships to Portuguese-American students from around the central part of the state, on up to Sacramento.

Then there're other ethnic groups such as the Vietnamese, who've come more recently. Filipinos are the fastest growing group in California. The Asian population in California is really very big now.

Today if you look at the demographics in California, the so-called Anglos, or Caucasians are less than fifty percent of the total California population. So they fall below being the largest ethnic group although they still make up about forty five to forty seven percent. But the so-called Mexican or Hispanic population is up to about thirty five percent now, I think, all

combined. Asians make up a large part also, African-American and Native Americans.

I started out at Ferndale School up where my mother was born. It's no longer there, because when the school district unified they got rid of all the little one-room school houses. It had as many as twenty-eight children, from first through eighth grade. There was no kindergarten in those days. When my older sister got married, my dad let them live in the ranch we had up there and then he bought a house we had on Green Valley Road down by Pinto Lake. We had another orchard down here that we'd bought. When we moved there I went to the old Amnesti School, behind some houses. It had four classrooms, two grades per class, two classes per room. I entered the fourth grade there, and then went on to Watsonville High School, where I graduated in 1941.

My mother went to the third grade and my father had no schooling at all but wanted me to get a good education. He wanted to pay for anyplace I wanted to go. I wanted to play football (laughter) in those days. So I ended up going to Hartnell College and about three months later I banged up my knee and never graduated. I was out of school for awhile and then I just got involved in business with my father and never did go back to school again.

When the war started in December I was not quite eighteen. Once I turned eighteen I joined the California State Guard. It's like the National Guard. Everybody wanted to do something, to participate. That was right here in Watsonville, in 1942. There were fears locally that we'd be invaded by the

Japanese. There were submarines right off of our coast. We'd go about two days a week to their training programs. We were all prepared in case something did happen and we'd get called to action to help support the troops.

Jarrell: What do you remember of the period during which the Japanese-Americans living in this community were interned? At Watsonville High School some of your peers were Japanese-American students.

Mello: Oh, a lot of them. Bear in mind I got out in June '41. But Pearl Harbor didn't happen until December. In February of '42 President Roosevelt signed General DeWitt's Executive Order 9066. I was a great admirer of President Roosevelt but I figured he was . . . well we were living in fear in those days. We saw what happened in Pearl Harbor and all these other islands, and the war was going on in Europe with the Germans, with Hitler and with Mussolini. We were getting it from both sides, and we were fighting on both sides. I was, like others, fearful that we were going to be attacked. There were rumors that some of the Japanese citizens here had short-wave radios and were speaking to the homeland. Of course later on you understand . . . if they were sending radio signals they wouldn't be the only one to receive them because people who were out there roaming the airwaves could pick them up, and our government would pick them up. But in those days . . . out here by Camp McCoy there was supposed to have been a sighting of a Japanese submarine.

Then the day came my friends from school . . . even though we were out of school we were still good friends because you were educated with them,

and worked with them all during that time . . . they were being sent to Salinas where they were signed up, and just herded away into nine or ten different relocation camps. Several of my friends came to me and said they had a pickup truck to sell. One of them had a piano which my mother bought for my sister. My sister's family still has it. We were paying what the market was in those days, but they were really selling things that they had to sell. They didn't have much time to sell to get out. Some of them had leases on their land. Some of them went back to the Japanese alien land law . . . they couldn't own land but they had it in their children's names. I knew families here that had land in their children's names. But their children were taken with them.

John McCarthy, the city attorney here in Watsonville, was thought of very highly by Japanese families. He had power of attorney for them to go ahead and lease the land out, and pay the taxes. Of course you couldn't get much rent for the land, because a lot of the people were farmers. The sons and daughters were drafted and gone.There was really a lot of trouble in those days. That was a sad thing, the relocation of American citizens. We were at war with the Germans and the Italians but they didn't relocate them. That's what was so prejudicial, I think, with this executive order, that they just selected one class, one nationality of families that looked different. Those were the signs of the times then.

I spoke at many Japanese events during the Day of Remembrance. I have taken a pocket-sized U.S. Constitution . . . I've read the Bill of Rights, read each one . . . you're entitled to a trial by a jury; to be represented by

counsel, to enter a plea . . . None of those people were charged with anything, with any crime. They never had due process . . . they never went to trial. They were just put in buses and hauled away. They did it with an executive order. It gets scary when somebody can through an executive order suspend the constitution. Then the people are just helpless. Yes, those were real times in our history.

When I was in the State Legislature I helped sponsor and co-author legislation condemning the relocation and supporting . . . President Reagan, I guess, first came out with a bill giving those that had been taken, $20,000. But they were so slow in paying it that a lot of them died before they got it.

I recall what disturbed me when I was seventeen years old. I just wish that I'd had some of the fight in me to stand up and say that this was wrong that I had later on. The Japanese community here's always been large and also very industrious, hard working and very bright. People I went to school with were hard to keep up with. The top of the class was always made up of a lot of the Japanese students.

Jarrell: So when you graduated from high school and then there was the relocation/internment of the Japanese, you continued living here?

Cold Storage Business

Mello: I lived with my parents. I helped my father with the farms. We had a packing house and my dad was shipping apples, so I got involved in

doing that. Then he and I became partners and went into business together. I still maintained my service to the state guard at that time.

I went to San Francisco to be inducted and take the health exam even though I wasn't healthy. I was overweight and I had some knee problems from playing football. They weren't letting anybody off easy. I was rejected on three occasions when I went up there. In fact one of the doctors said, "What do they keep sending you back up here for? We've turned you down." I said I don't know. If I can serve, I'll serve. The first time I was rejected I just didn't want to make any long-term plans because if things got worse in the war they would go ahead and . . . I figured they had a place somewhere that I could serve . . . in an office or as a medic or something like that, in some capacity.

I became partners with my father and we rented some other apple orchards as well. We had a fruit packing business . . . we packaged fresh apples and shipped them to the market. We developed a dehydrating operation. From that point we got into the frozen food business. In this packing operation we were peeling and coring apples, and we'd can some and freeze them.

We had peeling machines that would prepare apples for dehydrating or canning. One of our buyers was a Rosenberg brother. Rosenberg Brothers was a firm in San Francisco that was big in dried fruit. Then there was Del Monte Foods, which is still in existence. They had the dried fruit. They had a buyer here in Watsonville, too. Harold Cain, who later became the county assessor, was the buyer for Rosenberg Brothers, so we were in contact with

each other maybe several times a week, as we were selling apples to the Rosenberg Brothers through their agent here. Cain was a big Democrat. He was on the Democratic Central Committee in the county.

By that time frozen foods started coming out. They were popular back in the forties and fifties. Our dehydrating plant was destroyed by fire in 1952. We were going to rebuild it but it really hadn't been a successful business and my mother said, why didn't we get into the cold storage business which seemed to be the coming thing. So again she came up with good advice. On Beach Road we built a larger plant on eleven acres of land . . . frozen food, and fresh food storage of apples and pears, and various berries. So she was right. That proved to be pretty good.

Jarrell: Did you still have the orchards?

Mello: For awhile. As my father got older he started gifting some of his property to the three children. My two sisters and I received part of his and my mother's shares. Then both my sisters came down with cancer; one died in 1978, the other in 1979. As they got really sick, we sold our cold storage plant, because it was very difficult to carry on a family operation with them (they were partners as well) in that kind of condition. We just didn't know what the future might bring. My dad outlived my two sisters. He died in 1980 when he was 93.

Jarrell: And how about your mother?

Mello: My mother died in 1966. She was 76 at that point. She had high blood pressure and a heart problem and I often think about her. Her whole family, the Travers family, had thirteen children. Nine of them died from heart problems.

When they first got married they'd go down to Watsonville by horse and buggy once a month and they'd get staples like coffee and sugar and salt.

Jarrell: What market did they go to?

Mello: They used to go down to Freedom. There was a fellow named Enemarks who had a big grocery store. Freedom was called Whiskey Hill in those days. They had about fifteen bars and a couple of groceries. But it was amazing. You'd charge everything, your groceries; this was the custom. In those days you'd pay your bills once a year.

Jarrell: So you'd have an account there.

Mello: You'd have an account, yes. I don't think they lost any money on anybody. Some of the farmers would bring in wheat, apples, or apricots and barter them.

In Watsonville there was Alexander's, a men's store owned by three Jewish brothers by the name of Alexander. Henry Alexander, and Saul Alexander and they had a men's store. My dad would go in there and buy clothes for myself and him and they would charge it and pay once a year. I was named after Henry Alexander. When I was young we'd go to Alexander's and there was Henry Alexander. He was a bachelor, never did marry, but

he was very generous. He would go out to St. Francis School and put on a big event there for the orphans there. My mother came in the store with my father when she was pregnant with me. Henry would ask what they were going to name the little baby. My dad said, "I don't know." Henry said, "Well if it's a boy you ought to name it Henry, after me." My dad said, "You know that's not a bad idea." "And if it's a girl," Henry said, "you can call her Henrietta."

When I was about ready to be born my mother was in there. Henry said, "don't forget now! If it's a boy . . ." So when I was born my dad said, well might as well name him Henry. Henry John. My mother said I don't want to name him John because when I call for John I don't want two of you to come running. So that's how I got the name Henry J. My father's name was John.

Jarrell: What was your mother's name?

Mello: Margaret. They called her Maggie, which she didn't like. My dad's middle name was Correa, John Correa Mello. But in Portugal you got about six or seven names. They name you John Correa Silva Mello, and then they might add his godfather, and some other names in there, too. I have one of my cousins from Portugal here now. In fact I went and visited him yesterday. He came out for a wedding. They spell the name Melo. There're some in the phone book—Melo. They're named Mello . . . but when my dad came to the U.S. they just Americanized everybody. They said M-E-L-O. Well, it can't be Melo. It's got to have two "l's.

Jarrell: What kind of an adolescent and young man were you? You said you played football. What did you do at Hartnell? What did you read? What were the things that you were interested in? What kind of a guy were you?

Mello: When I was in high school some of the courses I had to take weren't too exciting. I'd be in there but I'd be thinking about football. My mind would be wandering, thinking about next week's game. Sometimes the teacher would point at me and ask me something and I'd be nine miles away. If I had a chance to do it over again I'd follow my father's advice. My mother said it too. They thought I was going to get hurt playing football. When I was playing they'd see how rough the game was.

Jarrell: What kind of a student were you?

Mello: I was not a straight A student. I ended up with a B plus average, I think, in high school. I'm good at math and I was good in school in math.

I worked at the apple orchard nailing boxes when school was out in the summer. I'd be nailing boxes for about two and a half months there. Every morning I'd get up and my arms were so sore, I felt like they were just going to fall off. I had a quota, maybe five or six hundred boxes a day. As we expanded and had more land . . . I remember one year a couple of our friends came out and nailed boxes, too.

When it got near to August we'd take two weeks off and go up near Chico, to Richardson Springs . . . every year my father liked to go to the mineral

springs . . . they had this big hotel, cottages, a swimming pool, hiking. That's where I learned how to swim when I was about five or six years old.

I became a musician very early, too. When I was in high school I was playing the accordion and the piano. I was playing different dance jobs; in fact I was playing in bars when I was in high school. Later on I had a jazz band and every Saturday night we'd have a job; we'd have weddings to play. That kept me busy . . . you didn't have steady girlfriends or relationships so much. When I met my wife Helen, I got over playing as much music then and settled down . . . but I still play the piano.

I was farming, in business in those days with my father. I didn't get married until I was 25, in 1949.

Jarrell: So you weren't, as a young man, particularly interested in academics or politics?

Mello: I didn't do any of that. When I was in high school, junior and senior year, my football coach, Emmet Geiser, was just a tremendous guy. He influenced me a lot. He suggested that I run for president of the student body. I just wasn't interested. But as a coach he'd just drag us, train us. We won the championship for four or five years. We won a lot of championships thanks to him. He said the team that wants to win can't be beaten. You're going to win; you have to have the will to win. You get out there and beat them.

My father wanted to make sure that his son had the best education in the whole world. I'd played football at Watsonville High School. I was interviewed by St. Mary's College up in Moraga. Their recruiter watched me play football. He wanted me to go to St. Mary's. St. Mary's in those days wanted good husky, beefy-type people, and they had a heck of a team. They only had 145 students, but they played Louisiana State. My father just didn't want me to play football. It was out as far he was concerned. I was offered a scholarship to go to play football. He said, no, I'm not going to permit you to go and just have football because you've got to get an education. As long as you think about football you're not going to be getting an education. So we argued back and forth. I decided to go to Hartnell, which was close by. I'd stay at home and get an education, and then I'd be playing football there too, just like a continuation of high school, which I did. So that's how I ended up going to Hartnell. It wasn't really a football career.

Family Life

Jarrell: How did you meet your wife?

Mello: I met my wife, Helen, in September, 1947. She was born in Calhoun, Georgia, near Addison, the northeastern part, up by the Tennessee border. Her mother died when she was four years old and her father died when she was eight years old, both from cancer. She had two sisters and her mother's and father's brothers and sisters raised her. She lived with her sister Mildred, who lives here in Watsonville, also. When she was about 13 years old she lived with her. They were in Detroit at that time, and her

husband was working for a construction company. Through another relative of his, who was in the produce business, they came to Watsonville. They also went to Marysville and El Centro. He was a produce broker.

So her brother-in-law and sister came here, and she was living with them so she came also. We had a produce business at that point; we were selling some vegetable packing in those days, lettuce and things like that. So he came around to buy some produce and we got to be friendly and then through him I met both his wife and Helen, who was his wife's sister. We dated in 1947 and 1948. We got engaged close to Christmas time in 1948, and married in 1949 in February. We had a courtship of about fifteen, sixteen months. We've been married 49 years.

Jarrell: And you have how many children?

Mello: Four sons. John is the oldest, Steven is next and Michael and Timothy.

Jarrell: Do they all live around here?

Mello: No, Steven does. He works at the University. The other three are up in Sacramento. My son John works for Senator John Vasconcellos, in his office. Michael now works in the Assembly Majority Services which the majority party has for all of their different members. Timothy works in the legislature for the senate third reading analysis; they put out analyses of bills that are going to be taken up on the floor, that are in print form.

Jarrell: Isn't that interesting, having three sons who are all involved in the legislative process.

Mello: Yes. During their own time they take off and campaign. Michael has been working an awful lot. He takes leaves of absence from his job at the request of their leadership and he goes out and works on certain selected campaigns in the district, sets up and organizes get-out-the-vote campaigns. He ran the phone bank for Proposition 226 that just got defeated.

Jarrell: That was a huge effort.

Mello: They had 25,000 people working for him statewide. The polls showed that 70% of the people supported it. But as the campaign unfolded, they got the truth out about these out-of-state people bankrolling it and trying to crush the unions. The teachers, of course, helped a lot too. Teachers, the CTA and all the other labor unions, because the Republicans get quite a bit of their money from corporate entities, and the Democrats get a lot of money from labor unions, because they are the party of the working people, primarily. So what they try to do is bust the union's strength, have them go to their members and have them sign . . .

Jarrell: Yes. It's called the Fair Payroll Act.

Mello: So the unions were going to come up with another measure to have the corporations go to their stockholders and get permission to . . . they can't contribute funds directly, federal law prohibits it. But they can

provide so-called soft money into campaigns. They do. The labor unions last year put in about 45 million dollars and that's what Newt Gingrich and all of them want, to cripple labor's ability to put that kind of big money in there.

After we were married, we bought a home on Orchard Street in Watsonville in 1949. In 1953 our oldest son, John, was born there, and then Helen became pregnant again with our second. We got to thinking we needed a larger house. Then a very good friend of mine told us about a nice home with six full bedrooms, six baths, 4400 square feet. I said I was interested. So several months later we decided to buy it. We sold the house in town and moved out here in April. We haven't really touched the house at all. In the 1989 earthquake the tile roof got damaged. A couple of posts out here and the chimney here . . . but the structure of the house was maintained because it's really a strong home.

Jarrell: Were you at home when the earthquake struck?

Mello: No, I was in Sacramento. At 5:04 on October 17, 1989, I was just getting out of a Senate session and we drove right home. Highway 17 was closed, so we went around through Chittenden Pass and that was closed, and I finally knew where Murphy Crossing was and geez, the house had stuff all over. We lost a lot of dishes and glasses, and . . . my wife collects Waterford crystal. She's got two big glass cases. There was a considerable amount of damage. But at any rate, it 's been a lovely home. We've sure enjoyed it and we've raised our family here. My hope is that I can live here

until I can no longer live, and then I'll be hauled away and that'll be it, whenever that time comes.

Entering Democratic Politics

Jarrell: Let's move on to your involvement in Democratic politics. You were on the local Democratic Central Committee. What moved you to run for the Santa Cruz County Board of Supervisors?

Mello: In the fifties I got involved in a lot of community activities . . . the Boy Scouts of America . . . well I was a scout earlier, myself, and then I was put on the Monterey Bay Council and the American Cancer Society, where I worked to raise money for them and the United Crusade. In 1964, when it was first set up by the state, I got on the Local Agency Formation Commission [LAFCO]. I became the public member for the whole county. There were two supervisors, two city people, and one public member.

Watsonville Hospital was about to embark on building a new hospital, the one out on Hollihan and Green Valley Road. As they began the planning and the financing, they hired consultants. Congress had just passed the Hill-Burton Act, which provided money for funding hospitals on a certain basis. They wanted to apply for some federal funds, and sell some bonds, and raise local money as well. This consultant company came in, looked at the situation, and said we'd never get a dime because the doctors were running the hospital. We had to have some citizens from the community to give a balance to the board, to make sure that consumers were included. So I was approached by the Watsonville Hospital board and brought in as a

new member, along with two or three other people to achieve that balance in the board membership. We were moving forward, we hired an architect, a new design . . . I'm getting up to answering your question on how I came to run for the board of supervisors.

I guess people recognize that I'm a doer . . . when I get involved in something. I felt the new hospital was really needed here. So we got our plans all set and I was instrumental in getting involved with the Hollihan family on East Lake Ave who sold their property to the hospital. Since they donated a similar amount of money back to the hospital, it was really a gift. I knew the Hollihan family quite well. We put our application into the county to get a permit to build a hospital. In those days the supervisor in your district suggested the direction on planning issues and roads. Usually the board went along with the district supervisor because they wanted you to go along with them on projects in their districts.

We met with Francis Silliman our district supervisor, showed him our plans. He really wanted to do like San Jose did, a lot of development. He said we had to widen Hollihan Road for eventual development down there. That's prime agricultural land and I said, you mean all that fine agricultural land is going to be developed into houses? He said that's the way things were going. He wanted to make plans for the road widening; to dedicate 22 feet of ground for future widening of the road, in exchange for getting a permit. I told him that didn't make sense. The whole board was meeting with him. I said, here we are trying to raise several million dollars in the community for our local share of building the hospital. We had to

buy the land and then give it to the county. We were nonprofit and were going to serve the community. Why were they trying to extract some value from us? The rest of the board asked how can he do that to us?

Jarrell: They got angry?

Mello: Yes. This was in 1965. During the latter part of the year they said, "Henry, why don't you run for county supervisor?" I had my business here; I was involved in various activities; I was raising my family. They said, "By God, he's not being right with us and we better get somebody in there that's going to do the right thing." So it was the hospital board of directors that suggested that I run for county supervisor. Finally I said okay, I'd run. So I ran and Silliman had been there twelve years, three terms. Boy, he was really hot that I was going to take him on. He ran a bunch of ads, why are you doing this to me? I went out and I just ran what would become my traditional election campaign. I rang over six thousand doorbells right here in Watsonville. I rang every doorbell in the city of Watsonville, and out in the Freedom area, wherever there was a populated area. I beat him. Of course it was just he and I. No one else got in the race. They saw it was going to be a real head-to-head tangle. I won by about sixty percent of the vote.

Jarrell: Pretty impressive.

Mello: Yes. I won in June. I didn't take office until January. There was almost a seven-month wait. But I'll say one thing about him, once the election was over we talked and he invited me to several meetings. He said

he wanted me to get a head start on water issues, which was a big issue. I got on the track of the Water Authority and the San Felipe Committee and started meeting early on there to learn about it. Eventually that was a project that we went to Washington and got the water to come into the Pajaro Valley. That was not the so-called pipeline that the voters defeated here in this last June 2 election.

So that's how I won my first major election. I'd run before for the central committee in 1952 or '54 . . . well, every two years from '52 on up to '66. My name had been on the ballot. I'd been involved through my business. I was also involved in the chamber of commerce and community activities all through those times.

Jarrell: What happened with the hospital and getting the use permit?

Mello: Well we finally got it approved.

Jarrell: Without the right of way.

Mello: No, we didn't dedicate any of that land. The question I asked him though . . . across the road he was asking us to give 22 feet, I said, "What about the property across the road? Now you're going to build this four-lane highway there. Is that person going to donate their property too, or will you have to buy it?" "Well, we'll have to buy it from them. If we're ready to go and he doesn't come in from development we'll buy their property." I said, "You're going to buy his property, but from a nonprofit group such as ours . . . you're not going to buy ours." It was really

something. That wasn't the whole issue in the campaign. I ran as a businessman.

Campaigning for the Democratic Party

I'm going back to about 1950 now, when we were operating our dehydrator. When I'd go in there Harold Cain always tried to influence me a little bit about politics. At that point I wasn't involved in any politics. In those days you had to be 21 to vote. I voted first in 1948. That's when [Harry S.] Truman was running against [Thomas E.] Dewey. I voted for Truman because I thought he'd done a good job. Dewey just didn't appeal to me. In 1950 this lady was running for the U.S. Senate against Richard Nixon.

Jarrell: Helen Gahagan Douglas.

Mello: Yes. She used to come to Watsonville. Now politics has changed, very few candidates come by Watsonville. Some of them swing by Salinas or Monterey. But they hit the media markets which are six or seven in the state. But she was coming. Cain was all excited about her coming. He said, Henry how about coming down and we'll go over there together. I want you to listen to her give her speech. I said, okay. So we got down there and she was very appealing as far as what she had to say about the problems we faced. She talked about health care and housing, jobs and business development. I thought she made a very good presentation. About three weeks later Richard Nixon came through town on the train. The train stopped down at Wall and Walker Street in those days, it was called. So

again Mr. Cain said, "Here's her opponent. Now he's coming down here. Do you want to go down there and listen?" So I went. Nixon just slammed this lady, you know, about having Communist ties and all kinds of things that seemed very unfair. He was on such an attack. So I got interested. I told Mr. Cain that I thought she was such a fine candidate and Mr. Nixon didn't talk anything about the issues. He just was attacking her. He asked if I would pass out some literature on her. I did. That's how I got started. I went out and started passing out literature for Helen Gahagan Douglas. They have certain precincts where there are more Democrats registered. I just went around and walked the precincts. It was quite an experience.

About the same time I met George Riley who was running for the State Board of Equalization. He had come to town and I got to meet him. He had a fundraiser in Loma Linda, which has since burned down. I don't know if you've ever heard of Loma Linda. It was a classy place out of Watsonville before they had the freeway, when you went up the hill there, a really nice first-class restaurant that seated about 300 people. They had dancing. So they had this great big corned beef and cabbage dinner for Mr. Riley because he was quite Irish. He sent off these green ribbons and everything. I liked him quite a bit. So that's how I got involved in 1950.

Then in 1952, because I was active and a business person, I was asked to run for the Democratic Central Committee. That was my first venture into politics. I did run from this district here in Watsonville. I won. I came in with the highest vote. That's when I got involved. That very same year Adlai Stevenson was running against Dwight Eisenhower. I was asked to

head up his campaign here in the county, which I did. It was really a difficult situation because the Republicans had all these "I Like Ike" buttons. They were great big huge buttons and of course Ike was a very popular person, a general. Stevenson, I thought, had some very creative ideas about stopping nuclear testing, and things like that, which Eisenhower attacked him on. Right now we're attacking Pakistan and other nations for having nuclear testing. We've wised up to the fact that you can't just have nuclear testing, which we did a lot of ourselves. Adlai Stevenson was just ahead of his time. He lost the election. He ran again in 1956, and was defeated again. By that time I was involved in just about every campaign in the county.

Then I finally ran for chairman of the Democratic Central Committee and was elected. I headed up the John F. Kennedy campaign here. Then I became a delegate. That was my first national campaign. I went to Los Angeles when John F. Kennedy was running against Lyndon Johnson.

Jarrell: And Stevenson was still in contention.

Mello: Yes. I supported Stevenson for two campaigns. But then Kennedy came along in 1956. You know, once you go down the trail with a loser you don't feel like getting out and working hard all over again. Stevenson was such a bright person. But here comes this new energy, new thoughts, and new ideas from Kennedy. I supported him right away. Estes Kefauver was the vice presidential candidate at the convention, the hand-picked person with . . .

Jarrell: Stevenson.

Mello: Then Kennedy's name went in nomination. He made a speech and then withdrew. He just set the stage for his next campaign. Everybody was just thrilled by him. He was a U.S. Senator at that point.

Jarrell: Now, I want to backtrack. You talked about Mr. Cain and how he had influenced you. But I read an article about you that said your father was a staunch Republican?

Mello: Yes.

Jarrell: And that your mother was a more socially-minded . . .

Mello: Democrat, yes.

Jarrell: What influence, if any, did your parents' politics have on your subsequent choice to become a Democrat?

Mello: Well, they both had a great influence; I gained from both my parents. I think, when it comes to fiscal spending (laughter), I guess I'm tight. I'm really thrifty. My dad was conservative. He just didn't want to spend money unless it was something necessary. From him I got that fiscal accountability part, which I still have today.

Sacramento is amazing. When I first got up there we'd be on a committee and they'd be talking about how good a certain program was, and about six or seven members would be asking all these questions about the

program. So I'd raise my hand and say, "Well, what's this going to cost?" This happened to me repeatedly all during my career up there. Some of the members sitting there would say, "Henry, that's a good point. You know, what is it going to cost?" (laughter) The only one who thought about it was me. I always asked the question, what's this going to cost? I always put a cost analysis on every decision. I think I got that from my father. My mother was always sending clothes back to Portugal, back to my father's family. She'd gather up these clothes. I guess the rules were you couldn't send new clothes.

Jarrell: Oh, it had to be used.

Mello: It had to be used. So she'd go buy trousers and shirts or used family clothes and she'd wash them, and then they'd pack them into four kilo packages and send them to the old country.

She was always helping people. In those days there was no health insurance. If somebody was sick, or somebody passed away, she'd be there with some fried chicken or some food. I never forget, she'd say, "Gee those people are really poor. The poor little girls don't have any clothes." She'd go and buy and give to them. From her I got more of a social conscience about sharing with other, less fortunate people.

I think it was a good balance. When I was working for Adlai Stevenson he gave a speech in Chicago in 1952. We had an early television set and my dad and I watched him. He talked for a half hour about his campaign; he talked about labor and health, about housing and jobs. When I asked my

dad what he thought, he said, "He never mentioned one word about agriculture." (laughter) My father was a farmer . . . and this is really true in all speeches that people give. You are always listening for what affects you. I said, "Dad, he didn't say anything about agriculture, but the other night he was in Des Moines, Iowa, and his whole speech was on agriculture. And what they do when they go from one city to another, they talk about what's relevant to that area there.

I think it was a good combination to have a conservative parent and a more liberal parent. That created a kind of balance in me. I was elected 14 times. I've never been defeated in running for office, but many more liberal Democrats always felt I was too conservative on some issues.

Jarrell: As we get into your career up in Sacramento I'm going to bring out quotations that are critical of you so that you have a chance to discuss how you've been characterized.

Mello: You can't be all things to everybody. I managed to get sixty to seventy percent of the vote, and so that means I was able to get that much support. There're always some people that are negative, and no matter what you say they just don't want to be part of it.

SANTA CRUZ COUNTY BOARD OF SUPERVISORS: 1966-1974

Jarrell: What were some of the issues and concerns in the 1966 election?

Mello: There were a lot of little things. Being accountable for taxes. I was a strong advocate of saving agricultural land, because we have the best land in the whole world right here in the Pajaro Valley and the Salinas Valley. So my name recognition went up. My family came here in 1874. Some of his family was here even before my family got here.

Jarrell: There's Silliman Road . . .

Mello: Oh yes, Silliman Road. They've got a big family. It was a race between two really well-entrenched people. I think, in all fairness, once you're in office twelve years you make a lot of tough planning decisions. If you approve a project the people who are opposed to it are going to be mad at you. If you have some hunters, when they see no hunting, they get kind of ticked off. It's not easy to be a county supervisor. Planning and zoning is really the big issue. The others are garbage collection.

You got a lot of phone calls from people. It's been always my practice to respond to every phone call, respond to every letter. My favorite story is about this lady out at Pinto Lake who called me about the chuck hole right in front of her mailbox. After a rain storm it was about four feet in diameter, about six inches deep, and just full of water, and her mailbox sitting there. She said, "Mr. Mello, you gotta come out and see this chuck hole." I said, "I'll send somebody out there to fix it. You know, I've seen four thousand or more chuck holes." She said, "No, you gotta come out and see it." (laughter)

Jarrell: She was insistent.

Mello: So I said, "I'll be right out." So I brought a person from public works, the superintendent of roads. I said, "Well we got to go out and see another chuck hole." (laughter) So we went out there. She couldn't get her mail because she would have to get all wet or put one foot in the water. Of course she was so happy to get it fixed she called me up . . . she was so thankful. But the point is, I had to go out and see it.

Another time a lady called up and said, "My son has a paper route and somebody stole his bicycle. I called the sheriff about ten times and they won't come out. You know, it's awful. Here's a son who gets up at 5 o'clock and is doing his paper route and he lost his bike. He earned the money to buy the bike himself." So I called up the sheriff and he said, "Henry, you know how busy we are. We got felonies. We got robberies. We got rape." I said, "I know, but can you just send somebody out there?" And he said, "You know what? I'll come myself." I said okay, because I'm good friends with him. He picks me up and we go out there. Sure enough, his family is there and the boy couldn't continue on his paper route. He brought another deputy with him, and it cost a lot of money to make a call like that but it mattered to them. That's the only thing that's important. That lady was really happy that we came by. It enriched my feeling about being responsive to people. Incidents over the years, looking back are just minor, but at the time it's earthshaking.

Jarrell: It's very important.

Mello: I learned from that. Boy, when people call me about . . . their neighbor's dog is barking all night . . . Before we had this kind of garbage

collection, a lot of people would just let their garbage pile up. Then the rats would infest . . . a lot of flies and everything . . . They'd call up and say I don't want to mention my neighbor, I don't want to get into it, but can you do something about that? Then I get the health officer, send somebody down. They go down and according to the law they can go and remove the garbage and clean it up, and then send a bill, put a lien on the owner of the property, who is usually not the tenant. Those are really tiny things that seem inconsequential but they're magnified in the minds of the people that are affected. You have to recognize them. The sheriff will say we've got forty things on the books right now. Robberies and assault and we're working on two murder cases. We can't just go out there for a stolen bicycle. They thought the people would understand that. Well they don't understand that. Because a stolen bicycle to them is just as important as somebody who got murdered.

So it's really a process. I think being a county supervisor really helped me when I went to Sacramento in continuing to be responsive to my constituents. I know plain as can be what an impact it can be for people that have something happen to them and the government doesn't respond. Government is so complicated. You have a water district. You can have a park district, a sewer district, and a sewer maintenance district. Then you have a city. Then you have a county. And you have school districts. Then you have state, then federal government. People can't sort out what entity is involved. I used to get calls for immigration things that are really out of my hands completely. They're federal but I would never let them drop.

Jarrell: You'd refer them and kind of educate.

Mello: Move them into the right place. I'd say I want to see a solution. I want to see them get to a place that can solve their problem. My staff used to carry that out at my direction.

Jarrell: I think things were somewhat simpler in those days, in '66, '67. In terms of the mechanics of the board of supervisors, the meetings, how many meetings, what kind of staff did you have? How much did you get paid? How much time did you spend? In those days it was a very modestly remunerated position, wasn't it?

Mello: Yes. We had no staff directly assigned to us when I first got elected on the board. We got paid about $500 a month. It was a part-time job, but it used to take up seven days a week. It just takes up a lot of time. These same type of calls just keep coming in. There're planning issues coming before the board that people are concerned about. Somebody wants to put a cemetery next to you, or a junkyard or something. Everybody gets up-in-arms, circulates petitions. To respond to mail, which I was very concerned about, we had the clerk of the board. She had two or three secretaries, so we were always able to get one of them to write our letters, and respond to them. It wasn't until my second term, in about 1972, I got reelected in 1970, that I told the board, we got to have some staff because we have so many people calling in. Some of the supervisors were the old-school type of people who meant very well but saw things a little differently. Like this one gentleman, a very nice guy, Bob Burton . . . he's a retired schoolteacher. He was the weatherman . . . very knowledgeable person. But he always said

he was busy when people called. They finally came around and we hired Kevin LaGraff and another lady, and another secretary. When we started out, instead of each board member having one or two staff people, like they have now . . . I think each member has two staff people and they have access to a lot more.

Jarrell: So you shared your staff amongst you?

Mello: We shared our staff, yes. I was chairman of the board in 1969 and 1973, and usually one of the staff was pretty much designated to work on behalf of the chairman, because there were lots of things on the agenda. It was a lot different. We didn't have environmental impact reports until the environmental movement got started about 1969, when that oil spill happened down . . .

Jarrell: In Santa Barbara?

Mello: That really woke up a lot of people. Then we started seeing things happening, toxic material. Government is a lot more complicated now.

Jarrell: In addition to the layers of government, from local all the way to the feds, there was the Coastal Commission, and environmental impact reports . . .

Mello: Yes, in 1972, the Coastal Commission, another layer of government. We're responsible for the coastline. Now we have environmental impact reports, EIR's, as they're called. The EIR report must show the social and economic effects of a project. It puts a lot of strength into the whole

process. You have to look and see just what the impact is going to be, both socially and economically, if you want to do something. If there's no apparent impact they just do what they call a negative declaration, and that eliminates the need for an EIR. But somebody can file against that movement, and if they file an appeal that there is an impact, then that's undertaken. If the findings are that the impact is there then they go ahead and have an EIR. The EIR has to be paid for by the applicant, but they don't get to select the consultants. It's usually done by the county, from an independent list of people.

Jarrell: You sat on the board of supervisors at a critical time of change. The coming of the University certainly had a huge impact, the growth of the environmental movement, the emergence of a kind of no-growth ethic amongst certain constituents, especially in Santa Cruz.

Mello: I could look back and tell you the things I started on the board, from the housing authority to consumer protection . . . the youth commission and on and on.

The state of California did not enact planning laws until 1955. Those police powers were given to local government cities and counties. It took awhile for the planning laws to be workable. They got grants from the federal government and the state in order to do a general plan. The law says that zoning had to be in conformance with a county's general plan. If you had residential areas on the general plan, then you had to back down at the zoning or the agriculture. It was about ten years later when I got on the board, in 1966. Being a farmer myself, and a person born in agriculture and

business I was always very aware of what fine agricultural land we had here.

Preserving Agricultural Land

Jarrell: [question inaudible]

Mello: I made a very strong statement that this prime agricultural land should have an agricultural designation. There're a lot of ways to qualify agricultural land. There's an index rating which is based on the land's capacity to grow crops. There's a dollar valuation . . . if it can produce two hundred dollars an acre or more. Another designation relates to the quality of the land, whether it can grow crops or pasturing or timber. This land in the Pajaro Valley is so rich. I pushed for having these hearings for having a general plan designated as this prime agricultural land. I remember once out at the East Lake Farm Bureau by the Fairgrounds we had a big hearing and the farmers turned out. Boy, did I get shouted at.

Jarrell: Why did you get shouted at?

Mello: They weren't used to this. Here you own a piece of land and government is trying to put . . .

Jarrell: A designation on it?

Mello: An infringement upon your ability to be more flexible with your land. In other words, someone says, it's good land. We grant that. But what if we had a bad year? What if we wanted to subdivide it? They could sell it,

but what if they wanted to subdivide it and build houses on it. I say, no, houses should not be built on it. This land should stay in agriculture. If you're tired of farming it, then you should sell it to somebody else who wants to farm it. Keep it in agriculture. This does not restrict your ability to sell, but it restricts your ability to change the use. Now why is it in the public interest not to have a skip-out subdivision, or have lots all over? It costs government a fortune to run services out there, sewer, water, fire protection, police. You have to have contiguous growth within a certain area. LAFCO came about a hundred years too late. You know, Los Angeles is the biggest mistake of planning in the whole world. They have about 55 cities within one county.

Jarrell: It grew like topsy, completely unregulated.

Mello: Right, and then everybody wanted to be a city. There're a lot of what they call contract cities down there. They do the planning and the zoning. They don't do any police protection. They contract with the county. The fire departments contract with the fire district. The sewers contract with some sewer program. The water comes from somebody else. They sit there and they just do the planning and zoning, because that's what they want to do. They want a shopping center to bring in all that revenue. And so it's been a mish-mash of growth that doesn't lead to the ability to provide services. You got commercial, residential, industrial. It's all scattered out. San Jose is another entity that went on the rampage after the General Electric plant came there in 1948. A perfect example of how they

could have built around the foothills like a stadium, and then have a rich bottomland down there . . .

Jarrell: And the orchards and all the . . .

Mello: Orchards . . . they could have maintained all that production. They could have gone into El Norte and Almaden and on up to Los Gatos and built more in the hills, which they're doing now anyway. They are paving that entire valley. Now, Santa Clara County has a sewer problem, a water problem, air pollution problem, traffic problem, smog problem—all of those have come in. And they've had to approve sales tax increases in order to help build more roads.

There was a new city built outside of Washington, D.C., in Virginia. The planners got together and said, okay, what would you do if you had everything to start over again, and you don't have to fix what you have. Here's an open area. How would you plan it as a city? Well some interesting things came about. They tried to place people's living close to where they work. So you wouldn't have to commute. And then provide enough commercial there for their survival and . . . actually they hardly need a car, unless they want to go sightseeing. When you can start over and do it that way, you think about everything and try to place industrial and commercial and open space in a rational way. In Los Angeles right now where's the open space? Even the city of San Francisco, thank goodness they have Golden Gate Park. In some areas open space is somebody's balcony on an apartment with a couple of potted plants. This is where we've taken ourselves to.

Environmental Issues

I tried to elaborate on how things have changed with planning and zoning within environmental impact reports, with the Coastal Commission, CEQA [California Environmental Equality Act]. So that's where we are today and it's because the government has responded to the needs of our area. There's a big debate going on about the environment and about the environmentalists, the Sierra Club versus some of the other people. There're a lot of voices who are calling attention to the public about timbering, the damage that timbering does if it's not properly regulated. I'm not opposed to timber myself because it's a renewable resource. If you can replant a forest in a way where you can even maximize the production by doing selective types of timber harvesting and manage the erosion concept and the way that you can extract . . .

Jarrell: How it's done, yes.

Mello: You raise that like you raise a crop of apples or a crop of something else. But if you go in and do clearcutting, then the erosion starts in, and it pollutes the streams and takes away the fisheries. There's a tremendous amount of damage. The environmental movement has really called to the attention of the public a lot of things about Prop. 65, the toxic waste we have, the timbering, harvesting and building on the coast line. I keep saying, do you want a Miami Beach here that seals off the coast? You can be a hundred, two hundred yards from the ocean and not see it. You're sealed off by high-rise hotels and everything, whereas here we still have the ability to get to the ocean and not have our view blocked by a lot of high

rises. Pajaro Dunes went in with a lot of units, Seascape and West Cliff Drive and East Cliff Drive in Santa Cruz, but still, the type of impact that we have on the coast line has been minimized so that we still have public access to our beaches. They have a high tide line that was established in a court case that came out of Santa Cruz. The highest of the high tide sets the mark for public ownership of the beach. You had none of those laws back forty, fifty years ago.

Jarrell: Much of this came in during the time you were on the board of supervisors. Subsequently, it's even been more elaborated. One other thing, before we close today, the kind of perennial schism between north and south county, and Watsonville having only one representative on the County Board of Supervisors . . . how did you experience that? Watsonville has an agricultural economy. It has a very different kind of a labor force. It's a different kind of a place than North County. What kinds of conflicts, if any, or experiences did you have being the representative from Watsonville and stepping into this historical rift.

Mello: No matter where you are in government, you have the potential of being outvoted by everybody else. In the Assembly there're eighty members. And you're one, if you're in the Assembly, out of eighty. There're seventy-nine other people that could care less about the problems in your district. Okay, there are forty Senate districts. Same thing. 39 other districts have their own problems. On the board of supervisors there are five districts. A press article was in the paper the other day. They were coming before the budget committee to get . . . it was in The *Santa Cruz Sentinel*, in

fact, about getting money for their districts, so-called pork. Somebody said it's pork when . . .

Jarrell: When it's not yours. (laughter)

Mello: When it's not your pork. As they went up before the budget committee this one gentleman said, well I got 21 items here, and he said, well, are you trying to break the Henry Mello award or not? (laughter) Then another guy said, I've got all this. He said again, well, you've got a good chance of breaking the Henry Mello award. I don't know if you can do it or not. When I was leaving the Senate, they give you a going away ceremony. Bill Lockyer did some research on bills that I passed, and bacon that I was transporting back home, (laughter) and he got before a group and he said, you know Senator Mello, I hate to say this, but he's done more for his district than I have in my own district. Because he's really paid attention to the needs there.

When I was on the board of supervisors I never had these conflicts of north/south. I guess it was just something I learned early on, you're not going to get anyplace unless you can get three votes on the board.

Jarrell: Right. That's your job, to get those three votes.

Mello: I worked very hard to make friends. I talked to all my members. I said I got this thing that's very important and here's what it does. Friendship won't get you a vote. You got to make your case. I had a person in the San Lorenzo Valley. He always wanted stuff for his district, you

know, Mr. Locatelli. When I wanted stuff for my district he'd come to me, and he'd say look, I want this, I want that. I'd say, okay. Sometimes I'd say, well gee, you know we don't have to do this. Same with other members too.

Jarrell: Some of the people that you served with are pretty well known names. Supervisor [Thomas A.] Black, whom you mentioned.

Mello: Yes, Tom Black.

Jarrell: Tom Black, who later became a judge. Supervisor Locatelli, McCauly, Dan Forbus.

Mello: I can tell you this. Dan Forbus was a conservative person, a Republican. And Bob [Robert E.] Burton bless him . . . he'd invite me over to his house for dinner. My wife and I would have him over. He was such a delightful person. He used to say . . . he was down at my plant one time and he met my father. He said, Henry, you got a wonderful father; I just wish you were more like him. I took that as a compliment.

One time [Vincent D.] Locatelli and I needed to buy two Caterpillar bulldozers. I needed one for the Pajaro River for the Pajaro Storm Damage Maintenance District and he needed one up in the valley. The public works department said they needed one someplace else. So they came up with three of them. I was supportive and Locatelli was supportive. So we were trying to get three of these tractors. Old man [Robert E.] Burton said,

$42,000. Hey, this is for a B-7 Caterpillar. That's too much money! We can't afford it.

When I got on they had all these older tractors . . . that were twenty years old, and they spent $20,000 on each one a year for parts. Also we had 145 automobiles. The welfare department had a whole bunch, the health department, the public works department. The same darn thing. They had some old wrecks there. So I got on the board and I said hey let's buy some new tractors. Let's get rid of those junky cars and buy a new fleet. He came out and said we can't afford that. He said, okay over a three year period we're going to exchange our whole fleet. We bought a third of them one year, a third of them the next year and a third the third year. I said we're going to go out to bid but we're also going to get a price from the state. The state of California had a deal where they'd allow local government to buy under their master contract. There was a big article about the state purchasing their cars. Well these other supervisors were friendly with these car dealers here.

Jarrell: Oh, I see.

Mello: I said our job is not to be distributing money to our friends, it's to get the best buy we can for our county government. So I embarrassed the hell out of them. There were editorials and some of the newspapers would say buy locally, help keep business going. I'd keep saying, hey this is not our job. And so when the price came in, the first year we saved about forty or fifty thousand dollars just buying . . . same identical car, you know Ford or Chevy or whatever. The local dealers didn't like it. I said you ought to be

thankful we're trying to save money. So when these darn Caterpillar tractors . . . the board said they wouldn't go for three of them. So we settled for two. We bought two new ones.

Going back to the cars again, in two years we bought almost the entire fleet. We sold the oldest ones off first and then the next oldest ones. Carl Malan, the CAO, came to me and he said, "Henry, we have four mechanics. We don't have work for them now." I said, "Good. That's good. We're going to save some money." He said "We're going to just keep one. That's all we need." For servicing and everything. Because these cars are under guarantee. When something goes wrong we take it down to the dealer and the factory takes care of it, if it's within the guarantee period, of 40,000 miles. Just think, not only do we save money buying new cars, we laid off three mechanics, plus some other service people, because instead of taking care of these old wrecks we were just taking care of these new cars.

Well the same thing with the tractors. These two new tractors came in and just unloaded these Alachawas, got rid of them. So then the next year the Public Works department said gee, we'd like to buy two or three more and everything. We went out and got the bids and everything. So we got before the budget and they were $75,000 apiece. In one year they went up from $46,000 . . . something like that. So old man [Robert E.] Burton said, "Jesus! $75,000!" He said, "Mr. Mello, how much was it last year when you bought those?" I said, "Well, thank you for asking, Bob. $46,000." I said, "You argued against it and it was because of you and some other members that we didn't buy more. Now they're $75,000. Almost double." He just

scratched his head. He said, "yeah, I wish we had bought more last year." I said, "Yeah! Thank you!" So we had a give and take but even a highly paid manager for the county wasn't bold enough to say let's go out and buy a fleet of cars and cut back on the maintenance and they'd be guaranteed by the dealer. When I went off the board they were buying cars from the state, they finally got around to a two year cycle. Because we buy better cars with automatic transmissions, with radios and heaters. . . and whitewall tires . . . buy them with all the little extras in them and then when you sell them you get more for them. We'd sell them with 30,000 miles or 50,000 miles, before they got to be worn out. One year we sold our cars that were two years old for almost the same money as we were replacing them with new cars. Because we were buying them so cheap under the state plan that we were able to use and sell them for almost two years and get our money out of them. What a deal.

That's the way government has to operate. When I was up in Sacramento they were leasing property around the Capital for offices. They'd sign a ten-year lease with a net return to the builder, who would then take it to a insurance company or the bank and borrow the money and pay interest on it, charge us rent and make a profit, and get his building paid off in about ten or fifteen years. I said what are we doing this for? We're not going to go out of business. A lot of people would hope we would, but we're not. But we need more and more office space. Let's buy the land. Let's put up our own buildings. They said how are we going to finance it? Through bonds. The amount of money that's been going to pay rent would pay off the bonds, and the buildings will be ours. I had support from others on that,

too. Now the state owns an awful lot of the land around the capital there. So we're under a twenty to fifty year plan for expansion there.

Jarrell: You're talking really about rationalizing governmental business practices.

Mello: Yes. Having been a business person those were the skills I had. I had to make a decision. Whether to buy a forklift truck or rent one; whether to buy some palettes or not buy them.

UC Santa Cruz

Jarrell: The University of California established a new campus here in 1963. What was your involvement in supporting the establishment of the UCSC campus here?

Mello: When Governor [Edmund G.] Brown was elected in 1958 I was his campaign chairmen. I had supported him before when he ran for attorney general, so I knew him quite well when he became governor. The whole community, mainstream Santa Cruz, looked to the University as a real economic enhancement for the area. Because up until then we had . . . the Boardwalk which brought a lot of tourists, day visitors, during the summer time. Then when Labor Day came along in September, the town just closed down. So they felt the campus would be a year-round activity and produce quite an economic enhancement, which it did provide. At that point they were dealing with the regents, the University of California staff, and most of the people on the committee were Chamber of Commerce people from Santa Cruz. They were mostly Republicans. So they finally realized, I guess

some of them, that they needed some Democrats to help bring a campus here. My name was thought of because I was chairman of the Democratic Central Committee. They asked me if I would help. I said yes, certainly. I thought the campus would be great for Santa Cruz. I was thinking about our students in the Monterey Bay area having access, that they could live at home and go to a four-year university. At that point I was friendly with the governor who was on the board of regents, and the lieutenant governor. They asked me to help with the governor and the lieutenant governor. The president of the state board of agriculture was also a regent as set forth in the constitution, which was later changed. This was John Watson. He and I were friends and I worked with the Adlai Stevenson campaign and others with him. I was the contact person for those and then got together with the rest of the regents also. So we'd invite them to come down and tour the proposed campus.

Jarrell: The Cowell Ranch site.

Mello: Yes. And they did that. They came down and the town, the committee, put on a nice reception for them. At that time Glenn E. Coolidge was our assemblyman and Donald L. Grunsky our senator. But they had very little clout with a governor of a different party. The committee felt they had to balance that out by having somebody with better access like myself, and others. So we got the regents down here and showed them the site. We parked in the big meadow just below where University House is now, and they were astounded by the beautiful view, and the nice land. The Cowell Foundation had agreed to donate the land,

but they donated it in an arrangement that the state would pay for the land, but then Cowell would donate that money back. They would get a gift deduction, and they're a nonprofit foundation. That's the way it finally worked out. We were competing with the Almaden site. Almaden had more powerful clout by offering a lot of amenities. They had Santa Clara County and that whole area. They were close to Stanford and San Jose State. We were more isolated here. The Almaden site was smaller in acreage and it was right in the Almaden Valley.

Jarrell: I've also read that there were so many parcel owners that it was a much more complicated transaction.

Mello: I don't think that was the reason . . . you're looking at the University. If they have to buy the land they have condemnation power. They could put that deal together. If that's what they wanted they would have gotten it.

We were getting ready to vote. I called the governor and went up and visited with him. I told him how important it was that we get the campus down here. He was very frank. He said, "I think you're going to get it because most of the regents are leaning in that direction." But he said, "you know I can't vote for it because the larger number of voters are in Santa Clara county." He didn't want to go against the vote. He just was that frank about it. I was of course disheartened by that, although I understood the political part of it. Glenn Anderson**,** the lieutenant governor, went to see him also, and he told me the same thing. So I said I hoped that they weren't going to work against us. The governor said he wouldn't work against us.

He thought Santa Cruz was going to win, but that he had to vote where the greatest number of voters were; that Almaden had a good site and he was just going to vote that way. He thought Glenn would, too. Sure enough Glenn indicated that he would do that, too. I think there was one other person that voted for Almaden. So when the vote came up, we won. I think we made a really good presentation. The people working in Santa Cruz were really behind it 100 percent. They were putting forth a good package.

Jarrell: What kind of a package was it?

Mello: Well, the package was primarily the land.

Jarrell: That was the Cowell Foundation's gift.

Mello: Well, one was the promise of a road which was to go up through the Pogonip area, the Eastern Access Road. It was to be built by the local entity, which included the city, county . . . jointly. The county is involved too. It was quite a road. The grade would have to come off from where Harvey West Park is up in through there . . . as the road goes into Stevenson College, along that side up there. It would be quite an incline. So that was one thing that was promised in writing. The city agreed to serve UCSC with water. Because the city is the marketing entity for public water in that area, in the city limits. Another part of the agreement was that the University was to be in the city. The University had agreed to put in their own police department, like they do on all campuses. But they have a mutual aid agreement. There's fire protection, and garbage, and all the other utilities that the city would normally provide. They agreed to

provide those services. Of course they'd be reimbursed for that. A lot of that was in writing. The clerk of the board of supervisors or the city have all those original agreements and they spell it out.

The point is, a lot of things weren't thought of when the transaction was made. So later on when I got on the board of supervisors, and then even later when I became a state legislator, the city started . . . of course when Prop. 13 came along there was a need for added revenue. Then the city was trying to have UCSC pay a fee for their fire protection services down in the city, not on the campus but . . . and then a lot of the students were living in housing in the city limits. They still do. They live off campus.

Bus transportation to the campus hadn't been planned for when the University opened. They just sort of didn't envision that happening. But later on that became necessary. When I was on the board we formed the. Santa Cruz Metropolitan Transit District, a private entity. They contracted with the University to transport students for an agreed to price.

UCSC Chancellor Dean E. McHenry

Jarrell: Tell me about your relationship with Dean McHenry over the years. He just passed away very recently.[1] What is your sense of his significance in terms of how he built UCSC?

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[1]Dean E. McHenry died March 17, 1998.

Mello: I don't know if anyone else could have done it that way but Dean. When I first met him [at a reception] down by the old Cook House building, they had just gotten funded to start building the campus. I thought, why did they need a chancellor on site? There're no buildings here. What's he going to do?

Jarrell: That's right. In fact, remember they originally had offices at Cabrillo College?

Mello: I don't quite remember that.

Jarrell: That was before they renovated the Cook House for offices.

Mello: I met him right after he came, and he seemed like a nice, personable person. I looked at him more as an egghead type of guy that was really brilliant. Then I learned that he was a Democrat and had run for Congress down in San Fernando Valley.

Jarrell: That's right!

Mello: He got defeated. So I felt we had something in common. At least he had the ideology of being a Democrat and so do I, so we got along very well. A lot of things that he brought were innovative. At first I wondered why they were building all the different colleges, how they were going to function. But it turned out fine.

As the University has grown and developed engineering and the sciences and they moved quickly into astronomy and things like that—I think these

are important as well. But the fact is that UCSC has turned the corner and is moving in a more conventional direction.

I think McHenry made a great contribution to the University, from its very beginning and getting it off the ground and getting it to the finesse that it's gained over the years. He set the pattern and then others came in.

The chancellor sets the pattern for what's going to happen on the campus. Everything is not set by the regents, budgets, but they have to ask for the money. They have to make a justification for it. Laws such as affirmative action, well everyone has to abide by whatever determination is made.

I believe in affirmative action personally. I think [Regent] Ward Connerly and the other regents, led by Governor Pete Wilson made a big mistake in trying to really exclude people.[2] Because the facts are . . . we're all equal but the facts are there's an unequal application of services, and let's face it, the people with different color skin and ethnic backgrounds get left out a lot more. Look at how many ethnic groups you have in law schools right now. They're beating the doors to try to get a few blacks, Latinos, and Asians to come in. It's tough.

So at any rate, the chancellor is the head person to get things done. That's why it's such an important job. I think M.R.C. [Greenwood] is probably the

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[2]Amidst great controversy, in July, 1995, the Regents of the University of California voted 14-10 on a resolution proposed by Regent Ward Connerly, to ban the use of gender and ethnicity in student admissions, substituting instead economic and social need. The policy took effect in January, 1997.

most phenomenal of all the UCSC chancellors. She's so bright and involved in the sciences, and master of everything. She gets out and raises a tremendous amount of money for the programs and the school, and has good relationships with the students.

Jarrell: You got to know her quite well?

Mello: Yes. As well as one who is not on campus can get to know her.

I remember before UCSC built the music building, UC administrators came in about seven days before we finalized the budget. You're supposed to put things in at the beginning and go through and debate it. But they came in just when we were ready to put the budget in conference and wanted fifteen million dollars. I said I didn't know if I could do it. They said they had to have it. For some reason something happened right there at the end that they saw that they could put it all together. So I went to the chairman of the budget committee who was my seatmate and a good friend of mine, Senator Mike Thompson, and said the University is really pushing for this and they really have to have it. I know it's late. How do we do it? So they presented the package and a day or two later he said they put it in the budget. This is how they got that funding that year for the fifteen million dollars for that music center. Then they had some other contributions for it as well.

Prior to that we got 23 million dollars in funding for the new Earth and Marine Sciences building. That was the largest capital allocation that was made to any university that year.

But in addition to that there were a lot of small things that UCSC needed, a million here and a half million there. And [UC lobbyist] Stephen A. Arditti has been up there for a lot of years. The campus was really well represented in Sacramento. Whenever we needed back-up data they brought in people from either the campus here or from the Office of the President at Berkeley. The University of California and the legislature have these links. The UC alumni come to Sacramento once a year and put on a dinner for the legislature. You sit and eat with them. They do a good job. The main thing is they deliver.

What I used in supporting the University is the impressive study put out annually rating the universities throughout the United States. I think UC in 36 out of 37 categories ranked either number one or number two nationwide. You just can't argue against that.

Bill Leonard, now the Republican leader in the Assembly, who was a senator when Angela Davis got a special award at UCSC, wanted to hold back the funding for the University of California, Santa Cruz.

Jarrell: Because Angela Davis got this prize?

Mello: Yes, because she got that award. I mean I'm not a bit in love with Angela Davis or anybody who goes out and embraces communism, or goes anti-American, but she's a bright person and the UC Regents gave her an award.

I remember when Clark Kerr, the former president of the University system made a decision in 1961 to let an [alleged] communist speak on campus to the students, a man named Frank Wilkinson.[3] Boy, the regents and the public went wild. Everyone said, how dare in our own state-funded university, you have a communist come here and talk to our students and try to sway them? Well there was debate among the regents. They were just after the scalp of Clark Kerr and said we're not going to let him come on campus. So, Clark Kerr told them something that I thought was appropriate. He said, "Our job as a learning institution is to make our students' minds safe for ideas, but not make ideas safe for students' minds." I think it took a little while for me to really grasp, but I thought that's cool, that's all right. I subscribe to that. Because, why spend all this money to educate people if they can't listen to Frank Wilkinson because they think they might all become communists? That's what they were saying, right?

Jarrell: That the students are so weak-minded, that they'd be instantly seduced by any kind of dissenting voice.

Mello: Yes. But they weren't saying we fail the students, we failed to properly train them to make their minds safe enough to hear a communist like him. So Clark Kerr was very right on that. That thinking is still around today.

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[3]Wilkinson had been called before the House Committee on Un-American Activities twice and in March, 1961, was about to serve a one-year jail sentence for contempt of Congress.

People just think the way to solve the problem is to bar . . . of course I think with children, these commercials, or internet access to sex and pornography and all that . . . that's wrong because you're talking about children. There's a way to block that on your TV set, on your computers. But if adults want to subject themselves to something that maybe you and I don't want to subject ourselves to, well . . . the first amendment is out there and thank goodness it is. Let's hope it goes on and lives forever.

THE CALIFORNIA LEGISLATURE: 1976-1996

State Assembly: 1976-1980

Jarrell: Why did you run for the State Assembly in 1976? You'd had eight years on the Santa Cruz County Board of Supervisors.

Mello: I could have got re-elected again. But at that point in 1975 I made up my mind. My family was getting older. My dad died in 1980, so he lived five years longer. My two sisters were both sick with cancer. We had this cool storage plant in the family. We sold it in 1974. I owned about 75 percent with my four children, and my two sisters had the balance of it. We got paid, all received a certain amount of money.

I had worked hard every since I was old enough to work. I just felt, well what the heck, I'll just kind of retire. I was 50 years of age. I just wanted to do something else. You know how it is, you change things. I knew that my father wasn't going to live too much longer, and my two sisters were really ill. It was time to start doing some longer range planning. I had had a real estate license before and I had done a bit of that. But I thought I'd get into

something different. Then when 1975 came along, Frank Murphy, who was in the assembly then, decided not to run for re-election. Even before I learned of that in the morning they started calling me up because I appeared to be the most logical person to take a shot at it.

He'd been there for ten years. In fact he ran in 1966 and got elected. That's when I ran . . . well, I have to tell you what happened in 1966. I was running for the Board of Supervisors. Jesse [M.] Unruh was the Speaker of the Assembly and a very powerful speaker. When Jess Unruh had become speaker, a member of the assembly who was very strong for education, Gordon Winton, from Merced County, voted against Jess. The vote was 79 to 1. If you vote against the speaker you pay for it . . . it's really something. Reapportionment came up that year, in 1962 or '64, I think it was. So Jess wanted to do away with Gordon Winton. Well it's not a game of just chance or something like that. It's real world politics. So he designed a district that would help defeat Gordon Winton by shifting the population. He kicked in Santa Cruz County, San Benito County and Merced County. So the majority of the population was over here near the coast. He called me in 1966 and he said, "Henry, I've designed a district and I want you to run in it and I want to donate $25,000 as a minimum to your campaign." In those days that was a lot of money for a political campaign, and this was legal, to help . . . But that's when I had already decided to run for county supervisor.

Jarrell: So you had this offer ten years before you ever ran for the assembly.

Mello: Yes. In fact, when I did get elected I ran into Jess Unruh and he said, "Henry, you could have been up here ten years ago if you'd only listened to me."

Jarrell: (laughter) Oh, that's a great story.

Mello: Yes, he was a great guy. I said, "Jess, why do you want to defeat Gordon Winton, a Democrat? All my life I have worked to get Democrats elected. I can't run against a Democrat, you know." He said, "The guy voted against me." I said, "Wait a minute, you know I used to play football and we'd go out and play a football game and we'd win seven to six. And you know we'd have the biggest bust in town. We'd go out and just celebrate because, you know, we'd won; 79-1, we'd won." Yes, the important thing is winning. But here you are telling me 79-1. My God, what a victory. You ought to sit back and say I had 79 people who loved me and one doesn't." He said, "No. I got to get rid of that guy." I gave it some thought but I didn't want to run for the assembly. I still had my cold storage business and we were raising a family and . . . so at any rate, I went on and ran for supervisor.

Jarrell: So Frank Murphy, Jr. retired.

Mello: He re-ran as a Republican and Joe Chamberlain ran as a Republican. Joe Chamberlain was a Republican from the hills above Watsonville. Frank Murphy, Jr. was an attorney, a very articulate, nice looking guy. He put on a nice campaign and won the Republican nomination. Gordon Winton, of course, was unopposed. Jess finally got

somebody from San Benito or Hollister to run against him who didn't have a base or anything. So the match-up was in November. Frank Murphy beat Gordon Winton, defeated him. So Jess got rid of Gordon Winton, but he lost the Democratic and got a Republican. Every year people would say to me I should run. Frank Murphy and his family and I were good friends. Frank, Sr., was a Democrat, and a good friend of my family and myself for years and years, and his mother, Marge Murphy . . . are still good friends of ours.

I didn't want to go to Sacramento and I didn't want to run against Frank Murphy, so I just didn't run until 1975, when Frank Murphy announced that he was not going to seek re-election. That opened up an opportunity. I immediately decided I would go ahead and run. I got in the race in 1975, filed in 1976, and won. I had a primary opponent, another Democrat, who ran in 1974, ran a very good race against Frank Murphy. His name was Henry Fuller and he's a medical doctor. I won the primary. A fellow by the name of Larry Parrish who was on the school board up at Scotts Valley was my Republican opponent. He was quite a candidate, too. But I won in November and became an assemblyman. I was re-elected to the legislature a total of twenty years.

Jarrell: How did you immerse yourself in that culture and learn the ropes?

Mello: It was an education. We talked about it a little bit the other day. I see a lot of people who never learn how to get people to vote for something that they want.

Jarrell: Yes, and when I talked to Kevin LaGraff he gave me a lot of insight into your very sophisticated, very deep understanding of the political process.

Mello: Well Helen has something to say.

Jarrell: This is Helen Mello, who has just joined us.

Mello: Yes, I want her to tell you what Lee Quarnstrom said about me when I was sitting on the board of supervisors, and how he would sit there and watch me operate. He is a reporter for the *San Jose Mercury News*.

Helen Mello: Well, Lee used to hate Tuesdays because he was so bored sitting there at the supervisor's meetings. He told me he got so fascinated with Henry, how he would operate that board and get everything he wanted. So he got to looking forward to every Tuesday instead of dreading it, he looked forward just to watching.

Jarrell: To see Henry Mello in action.

Helen Mello: Right. And they've been friends ever since.

Mello: He's quite a guy. He's covered me from when I was a county supervisor to state assembly and senator.

Helen Mello: Well he's been a friend of ours.

Jarrell: He found it fascinating to watch you operate, your very singular skills at passing things, at building consensus. I would imagine that you have some natural gift in this area. What do you have to say about that?

Mello: I don't think it's a natural gift that comes bestowed upon anyone. You just have to understand the system. I first became interested in politics way back when I was working on the Adlai Stevenson campaign and others, when the CDC got started. We used to go to meetings in Fresno and Sacramento and Los Angeles and all back in the '50s. There were some hot issues. Somebody would get up and say, let's let China join the United Nations. The argument was, you get them in and then you can talk with them. If they're out they're going to remain Communist. The debate went on, how dare you bring Red China into the United Nations with Communists . . .

I learned early on that you have to have the majority of people with you. All these people had ideas that they brought forth. A lot of people in the CDC were on the side of idealism rather than being pragmatic about seeing what you could do. They'd get up and talk and talk and talk, and the thing would go nowhere. I think they just wanted to get their point over. They knew they weren't going to win. But from that, I think I learned early, even before I got on the board of supervisors and watched the board operate. With five people there and yourself, you've got to get two other people to go with you. That means you just don't go cold with an issue before the board that means a lot to you and your district. You have to go and talk to each member of the board.

I remember some of those issues, like starting a childcare program, or the Housing Authority, I started that back when I was on the board of supervisors. There was a need for public housing for people who just couldn't afford homes. I really tried very hard but I just didn't have the full board's support to jump right in, and they didn't see beyond what was before them. I said the Housing Authority is going to help us with our problems of being able to fund affordable housing for people, senior citizens and all the . . . I couldn't get that through. Finally they agreed to do a study; they said we'd hire the low-income housing commission and do a study. I compromised for that. If you can't get the whole loaf, grab what you can and then keep coming back. I knew darn well what the answer was going to be from this housing commission. We put people on it like Florence Wyckoff. She was on the commission for many years. Lo and behold, no surprise to me, the report came back and said what we need in the county is a housing authority, which can apply for federal funds and do low- income, affordable housing projects. I finally got that by a very conservative board of supervisors. When I got on there were nice people, but they didn't believe in government getting into what they thought was the private sector in things like housing. We were just falling short. I saw so many studies . . . there was a project built that I supported out on Green Valley Road, Mesa Village, that provided some very low-income housing. People bought in there for $200 down. The interest was pro-rated from one percent interest to six percent based on your poverty level.

A lot of these people who bought came out of the real slums of Watsonville, if you want to call it that, because they couldn't afford any

housing. They were able to purchase a home because of the affordability factor. Well what I didn't realize at first was how this changed the profile of the whole family. You didn't see the cars out in the street jacked up and repairing them out there, tires all over the place. You saw homes that showed pride of ownership. Not only that, the kids did better in school. They dressed better. They looked better. Their homes looked better. They had landscaping. They took real pride in their homes. When I saw this it was real early in my career as supervisor. I still feel the same today, if we could get everybody in a home it would have a tremendous effect on society. Because having your own home, you don't have to hassle with landlords and high rents and everything else. So that was one of my real first priorities.

Jarrell: You really had to lobby them?

Mello: I guess lobby them in a way of really showing them what housing would do. So finally we got the Housing Authority approved. It was never a question in my mind. There were good people on there. They started, and got over three or four thousand housing units that are managed by the Santa Cruz Housing Authority.

Monterey County had at that point no housing authority, and had not embarked upon affordable housing. When I was in the state legislature we took a bus tour with members of the Monterey County Board of Supervisors and scheduled visits to affordable housing here in Santa Cruz County. We went inside these homes and talked to the people. They were

so impressed they went back and starting doing this themselves, primarily in the Salinas area which has a lot of nice units there now.

But I use that as an example. My wife quoted Lee Quarnstrom, who told her he liked to watch me maneuver the board. He told my wife, he said boy, Henry gets up there and really knows how to take something and put it together and come up with some conclusive information that makes it worthwhile, that puts them in a spot where it's hard for them to go against it. They can argue and argue and argue.

Jarrell: Well apparently it's been a real pleasure for him to watch you in action.

Mello: But when I got up to Sacramento the whole thing was tougher because up there they had eighty in the assembly and forty in the senate. You had political parties. Supervisors are not partisan so they don't necessarily follow a party philosophy, but in Sacramento they're pretty much entrenched in their partisan philosophies. A lot of them just don't believe the government should be doing these kinds of things. But when an earthquake comes, or a flood, these godawful disasters that we have, they look first to the government. Just like now, in Florida, just think, 41 states have responded to the firefighting down there. But what would these people do without tremendous effort by government, from out-of-state, from Canada and all over, other countries, to help them?

That's, I guess, the philosophy of people who live in Pebble Beach in Monterey. What do they need in there? They're behind a gate and they

have their own police. They have their own fire department. They pave their own streets; they make their own rules and it's nice to have that. It was set up under government but it's worked out quite well. But they paid a big price there. They're paying county taxes for sheriff patrolling, for streets and everything else. Everytime they buy gasoline, the money goes in for street repairs. They have to shell out of their own pocket an additional amount. They do that in return for having the privacy of living in a gated, closed community.

Jarrell: And not everybody can live that way . . .

Mello: No, that's right. If the whole state was like that, we'd be going from gate to gate to gate.

Well, having been on the board of supervisors, I worked very closely with the state government. I had worked over those eight years with the state legislature, and also we belonged to the state supervisors association, so we continually were going to meetings in Sacramento. If you want a road or a bridge fixed, you work with your own state legislator. I worked very closely with Frank Murphy, Jr., and then with State Senator Don Grunsky.

I just felt I could win . . . because I had confidence in myself. After I announced I was running, just about two weeks later Robert Nimble and Donald Grunsky, both state senators, announced their retirements. Two at the same time. I could have switched and run for the senate then, but I thought well, I'd feel a lot better running for the assembly because it does contain all of Santa Cruz County. By then the district that Jess Unruh had

set up had been changed. It was all of Santa Cruz County and the coastal part of Monterey County. I was known over in Monterey. I helped start AMBAG, the Association of Monterey Bay Area Governments, and I'd been on the air quality board, so I was quite well known over there, and I figured I could draw from people that I knew. So I got right in the race and ran.

I rang a lot of door bells. What happens is once you get in the race, the leaders and the assembly take an interest. They didn't do anything in the primary because I had Henry Fuller running and they don't usually want to take a position in the primary because if they backed a loser then they are in trouble. But once I won the primary then they helped out. They sent consultants down here, helped design some of my mailings, and gave me some assistance. Other members were helping me, both financially and so forth.

Jarrell: Who was the speaker then?

Mello: Leo McCarthy. I don't recall them ever doing a poll. But they used to do polling. When I got in the senate and became the whip, David Roberti was the president pro tem. I went in and we had all these races coming up around the state. I said, hey, we have to do some polling. He didn't believe in polls.

Jarrell: Roberti didn't?

Mello: Yes. A lot of people say the only poll that counts is the one on election day. But polling done scientifically is a real help in campaigning. Whenever they come out with a statement, what the public doesn't realize, is that there's about a three-week poll that went on before that time. They go with the wind; they want to know what people are thinking on some issues. In fact this vehicle license fee tax that they are proposing in Sacramento . . .

Jarrell: Governor Wilson . . .

Mello: Yes, Governor Wilson did a poll and it's just like this Prop. 226 issue, you throw it out there with a title, people say, gee that sounds good, cut taxes. Well once they see what it's going to do to education and to cities . . . if it passes it will reduce the share of revenue base and once that information comes out, then it turns around. So polling is very important.

Jarrell: In your first campaign did you have a professional campaign manager?

Mello: Yes, I had a professional, Larry Sheingold, in my very first campaign in 1976.

Jarrell: How did you find him?

Mello: Well Larry was sent by the Democratic leadership to help run my campaign. They work in designing literature, and get photographers to do pictures and put the brochures together. Then they get phone banks; they

get headquarters people working . . . and just the whole campaign. They were setting up different speaking engagements.

Jarrell: During your first campaign for the assembly, how much did you spend?

Mello: Well, I know exactly. $126,000. That's not very much compared to today's prices. But the reason I know and remember is that my dad asked me, "What's that job pay?" I said, "It pays $27,000 a year." He said, "For a two-year term you won't even get your money back." I said, "Yes, but Dad, this is not my money. I'm raising money from my supporters." He just thought that was an extravagant amount of money to spend for such a low-paying job. That's why I remember the numbers. My opponent spent, I think, $160,000 or so. Out of twelve elections, I think I got outspent on about three or four of them.

After I got in the senate I talked Mr. Roberti into . . . we went out and bought a contract of ten different polls from this polling firm. They wanted it because ten polls gives you a lot of business and you can afford to set up.

Jarrell: What polling firm was it?

Mello: That was Fairbanks. Right now Fairbanks, they're one of the top in the state . . . You get better as time goes on. You know how to do better sampling.

I'll never forget Alan Robbins, one of our senators. He had got gotten charged by the Sacramento police for having sex with this young girl, aged

about sixteen. It's one of those things that hits the headlines. He went through a trial. They finally acquitted him. But just the charge was enough. I just thought, boy this knocks you right down. But it's almost parallel to the president's situation right now.

Jarrell: With Monica Lewinksy?

Mello: Yes. So Senator Roberti and I got talking. "Henry," he said, "He'll never make it." I said, "Well Dave, we got to do a poll. We've go to see how this situation penetrates his constituents." On the plus side of it, Senator Robbins had been an ardent foe of busing. He lived in the San Fernando Valley and he did some dramatic things every time somebody would suggest busing the kids out of San Fernando down to Watts in L.A. One time he set up a press thing. So I said, "well we have to do a poll. I don't know. That's not my district. I would feel if this happened to me or somebody in my district, boy I think the people would just vacate you and you'd had it." So we did this poll, and the poll came out almost 70% favorable.

Jarrell: In spite of this scandal?

Mello: We did, what were called the push questions.

Jarrell: You mean pushing the button questions?

Mello: Well push is a term used by pollsters, you push the candidate to almost over the cliff because you want to see how people will respond. In polling if you come out and say well he's a veteran of the war and a purple

heart, people naturally do that. But you bring out all the negatives. You bring out the positives but you push hard on the negatives to see how . . .

Jarrell: . . . solid his support will be?

Mello: Solid, or how soft. Either way. So we pushed the poor guy. We sit down with a pollster and okay the questions. We change the wording slightly sometimes. I said, "Look, we've got to push this as hard as we can." Even the pollster said, "Boy, we're pushing so hard. He's halfway over the cliff. I don't think he'll ever come up." But he said, "You know, if that's what you want." I said, "Yes, that's exactly what we want." So they came out with almost a seventy percent support. And in fact, we gained both sides. Even though he was a great opponent of busing and would not let your children be transported down to L.A., would that have any effect on you voting for him, in view of this sexual charge that he's now come up with? He was running against a police officer. The Republicans put up a police person who was a very top candidate. They put a lot of money into that race. But Alan Robbins won with 67 percent. We were almost at a point that we were looking for another candidate to run.

I finally learned the technique of how to really get into doing campaigns, and that's why I was the main person in charge of campaigns in the senate. Of course whoever was president pro tem was the ultimate authority, because they're the ones that make the final decisions. But I was the one who said let's do this, let's do that, and polling was something I was very strong on, even though I didn't have it in my two races. I said, "Geez, I could have gotten beaten and not known it."

I did a poll when I ran for the senate in 1980. That's when I was running in a different district, clear down to Santa Barbara County, San Luis Obispo County, all of Monterey County, and all of Santa Cruz County. I was running against Eric Seastrand, who had run five times. This was either his fifth or sixth campaign, and he got defeated every time. He'd had been a member of the John Birch Society. I got to know him very well. He had cancer and passed away. We had become very good friends. I just felt so sorry for him because he was a guy who had tremendous energy and vitality. He never bent on his philosophies. He just went straight forward in what he believed in. When we did the poll, he was ahead of me.

Jarrell: This was in your first race for the senate?

Mello: Yes. The poll showed him running stronger than me down in San Luis Obispo, Santa Barbara, and even in Monterey County. I was strong in Santa Cruz County. So we worked hard and spent a lot of money and there again he outspent me. I think I spent three or four hundred thousand and he spent about six hundred thousand. When the votes were all counted I won by a thousand votes, district-wide. I won by about 16,000 in Santa Cruz County; I lost by 15,000 in Monterey, San Luis Obispo, and Santa Barbara.

Jarrell: Your first time out.

Mello: My first time out, yes. You see his name identity was higher because he'd run five times before. He'd run against Fred Farr. He'd run against Leon Panetta. He ran against Carol Halett. He ran for the school board a

couple of times. He lost every time out. But by then his name had recognition . . . who's this guy Mello? But they knew Seastrand because he'd been around a long time. But had I not done the polling in that race I think I would have lost because I probably would have been overconfident.

Jarrell: What did you learn from the polling, that he had a lot of support in those counties?

Mello: What I learned from the poll was that I was going to lose the race unless I really targeted certain areas. So I targeted Santa Cruz, even though I worked all throughout the district. But the technique, as I mentioned, is you deal with your strengths. You got to make sure you get your vote where you're strong and minimize your losses where you're weak. Had I not gotten that big vote out in Santa Cruz County I would have lost. If I had gotten two thousand votes less in Santa Cruz I would have lost. I learned that from the poll. That was probably my first time in polling when I had a full hand in. When James Mills was Speaker pro tem he was away on a trip during the campaign. I tried to call him and they said he was gone for a month. I said, "He's gone for a month right in the middle of the campaign!" He was a sort of a professor-type person who didn't understand politics. Roberti was majority leader and he helped me out a lot. Then he ran against Mills and I supported Roberti and he was successful and became pro tem . . .

Jarrell: Is that why when you were a freshman senator you were appointed Majority Whip during your first term?

Mello: Right.

Jarrell: Isn't that pretty unusual?

Mello: My first day.

Jarrell: Your first day!

Mello: Yes, it was done because Senator Roberti saw me win a race. I was the first Democrat to win that senate seat in 44 years.

Jarrell: Yes, because it was a Republican district.

Mello: When I went to the assembly it was the first time in 36 years that a Democrat had won. It was just like winning in Orange County. Santa Cruz was really . . .

Jarrell: (laughter) Yes, I know. I've looked at some of the maps and the registration over the years. It was always majority Republican registration.

Mello: I think I was able to get Republican votes from my business experience, and I was able to keep a solid vote amongst Democrats, even though my weakest . . . the polling showed amongst liberals that are really . . .

Jarrell: Left of center.

Mello: Yes, I was weaker there. They wouldn't vote for Seastrand. But they would vote, like for the Green Party.

Jarrell: Right, or the Peace and Freedom Party.

Mello: Yes, the Peace and Freedom. I had one candidate who was Peace and Freedom one year. He got a lot of votes away from me, ten percent of the vote. That was during my second term in the assembly. Michael Zacarias was a Greek Orthodox minister. But he was Peace and Freedom.

Jarrell: So he really drew away votes?

Mello: We had a debate up at the University of California. He got up there and handed out my campaign reporting statement. I'd gotten money, $500 from Standard Oil Company. People send in money and my treasurer puts it in the bank, I don't even see it. You don't even solicit. I used to get money from tobacco companies, but after about 1990 I wrote them and said please don't send any more contributions. I don't want to accept tobacco contributions in view of the fact that smoking is such a health hazard. I just wouldn't accept it. They sent me money that I sent back to them. I made it clear . . . and I had a strong anti-smoking group here in Santa Cruz and Monterey County and they'd asked me how come I accepted contributions. I showed them my voting record. Over a forty year period I voted 23 times out of 23 times against tobacco. Still they sent me money. They sent it because I was in a leadership position, so the money just . . . my treasurer put it in until I stopped it.

Jarrell: I want to backtrack here, because we've gotten way into the senate. I want to know, how does a freshman assemblyman learn the ropes of the culture. It's a different culture from the senate, isn't it?

Mello: Yes.

Jarrell: I always think of the assembly as very unruly. It's eighty people. It's a different body than the senate. Dan Walters of the *Sacramento Bee* wrote in a column a few months ago, that there's a culture clash between the senate and the assembly: "The senate views itself as deliberative body of forty individuals and looks down on the assembly as an undisciplined, overly partisan sandbox. Assembly members, meanwhile, see the senate as filled with irascible old men who are preoccupied with their own importance, a House of Lords, as one assemblyman puts it."

Mello: (laughter)

Jarrell: So I want to talk to you about the two houses since you've been in both.

Mello: There's a little bit of truth in both of them.

Jarrell: How do you learn the game, Henry?

Mello: Well the parliamentary procedure is still the same in both houses. The rules are the same. But the decorum in the senate is different. I think at that point most people in the assembly just looked over at the senate and said well some day I want to be a senator. There're less of them and you have more so-called decorum.

You have to know the rules because . . . and that was one of my jobs as the majority leader, was whenever . . . the Republicans would try to mend the budget and make tough votes on issues that come up for the Democrats.

Jarrell: Now you're talking about the assembly?

Mello: Both houses. For example right now at budget time they'll come up with an amendment to add, to strike, all the abortion money off. But we had the majority; we're just not going to let them do it. It's a ploy that they do. What they want to do is get you on record as voting for abortion for those funds. Of course it's a tough vote. Myself, being Catholic I've always had a hard time with abortion, but you take an oath of office and Roe v. Wade says very clearly that it's a woman's right in consultation with her own physician to determine if she wants to terminate a pregnancy. The Republicans put these tough votes up there. The pro tem would always say, well Henry, you know what to do. Once the person who was proposing the amendment would make his opening statement, my microphone would be up, and the presiding officer would already know that, and we signaled each other through one of the sergeants, just limited the debate. So I'd have my mike up; he'd call on me next. I'd move to table, to lay the minutes on the table. When you do that it's not debatable. You can ask a question but you'd probably get stopped.

Usually on Thursday mornings we'd have breakfast in my office, the majority leader's office. We had all of our caucus in there, twenty-three members. The pro tem would say well there're some amendments coming up. He would always get advised. The amendments have to be in printed

form, so he'd see what was coming up. He'd say, well they're going to propose this abortion amendment and Henry will make the move to lay it on the table. So that's what we'd do. It's a majority vote. It doesn't take 21. Sometimes we'd take three or four of our people who were in tough races, lay off of the vote.

Jarrell: You'd let them pass?

Mello: Yes, they'd just not vote. We could win if it's 18-17. Of course they would have their breakfast, too, and they would share their plans with their caucus. Most of them would all get up there to support it, so I'd make the motion to lay it on the table. And geez, in all the time I don't think we lost more than one vote on a tabling motion. If you're on a campaign you can say no, I didn't vote against those funds, it was just a tabling vote because when it came up it was a complicated part of the budget. You can usually explain it.

I learned from being on the board of supervisors and by going to a lot of political conventions where you have a lot of debates going on and you learn what the rules are. Just like you learn that a motion to table is not debatable, neither is a motion to adjourn. Or, several others based on the rules of the house. Another rule is you can't get up to speak on a bill and then move the previous question, which means you make a motion to vote, to take action.

Jarrell: What does it mean to move the previous question?

Mello: Well let's say a bill before the house is being debated. So you just move . . . that terminates debate, is what it does. The point is that you learn quick early on, you can't get up and speak against the bill, and then cut off everybody's right to speak. So the person moving the previous question must not have been a speaker on a bill. You just have to be a non-speaker, and then you can move the previous question. Now the previous question gets voted on, if everybody there says well we've had enough debate and there's no use prolonging it so they vote the previous question, then you vote on the previous question that comes up. So you learn how to do all that. It's a way of getting things moving and also, trying to prevail on issues.

My job too, was to look out for members, to make sure they didn't hang themselves by casting some vote that they'd see later on in a brochure. I never forget this one member who was a veteran. We had this resolution come to the floor about reparation for the internment of Japanese-Americans . . . for being relocated out of California and he voted against it. He was the only one. So I quickly walked back; he sat behind me about two seats back. I said, you can't do this. He was up for reelection too, and he had already a really hot battle coming on. I said, you're going to see this in your election, I guarantee that. And he said, "The heck with 'em! They should have been over there fighting like I did." I said, "Wait a minute. These are not Japanese. We're not saying this for Japanese soldiers. We're saying this for American citizens who were taken from their homes and property here in California, and relocated to other states." He wouldn't change his vote. I even told the president pro tem, I just hate to see him, not

so much on the issue, but politically, to see him cast something that he believes so much. He was a Vietnam veteran and fought and suffered with the whole war. But that issue was not about rewarding aliens. Later on in his campaign, he won finally, but we had to put a lot of people down there and spend a lot of money in his race. This issue did come up amongst Asians . . . and the Japanese-Americans . . . you can get lists now of people's names and you just send them a target mailer. You can buy lists of Latinos and . . .

Jarrell: Japanese-Americans and Chinese-Americans and . . .

Mello: They have thousands of names up there. It's harder with African-Americans because there's nothing distinctive about their names.

Those are the techniques for campaigning. You have to do what's right, what you believe in. Like this veteran, he was doing what he believed in his heart, even though I think he was misunderstanding what the real issue was. It took me many years to learn the rules, how to work towards getting something. The other thing that I found out, too, is usually you'll have one very conservative here and one more liberal here . . . but you can't write off anybody and just say the heck with that person, they never do support me. Because you never know, sometimes when you don't get the vote from those you might expect it from, you'll go to this person and lo and behold they might look at it favorably.

Jarrell: Yes, there are issues that cut across partisan lines.

Mello: That's right.

Jarrell: So you're saying that you can't ever write anyone off?

Mello: No, you can't.

Jarrell: Because you never know when you're going to need an ally.

Mello: Yes, you never know when they're going to be supporting you on something. It's sometimes surprising who comes to your rescue. There've been a lot of times when I've had 19 votes or 20 votes when I need 21. You keep walking the floor and walk and walk.

Jarrell: And what do you do?

Mello: I go down a row and pick people that I believe there's no hope for. With four out of five maybe there is no hope but maybe that one will say, yes, okay Henry, I'll . . . if it doesn't hurt them in their district sometimes. Or if it's something they can sort of marginalize in their own philosophy. But most people will not go against what they actually believe in.

Jarrell: During your four years in the Assembly, what issues were you really interested in?

Mello: Well when I first went to the Assembly, of course the speaker has in the governance of the Assembly more power as one person than in the Senate when you have the president pro tem as chairman of the rules committee with five members, which later I served on also for quite some

time. Leo McCarthy was speaker; he'd send you a little questionnaire, what do you want to do, what committee do you want to serve on? So I put down some things and he said, "Okay." I wanted to be on natural resources and on the Ways and Means Committee.

Senior Citizens

I knew I was following the money! Later on I got on the appropriations committee in the Senate. They gave it a different name. But I put down I wanted to work on behalf of senior citizens. Leo McCarthy was a great champion of the seniors also, so he welcomed a person like me wanting to do something for senior citizens, because it was an area that had been neglected over the years. When I worked in Santa Cruz County I had helped to build some senior centers. When the revenue sharing came around I led the board into giving more money to the senior citizen programs here in the county in dollars than did Los Angeles County. It wasn't so much, 150 or 200 thousand dollars. We did have a large senior population here. I was involved a lot as a supervisor.

I told the speaker I was very interested in these issues. He said he'd give me a choice. Did I want to go on Ways and Means, or . . . we'd start a committee on aging in the assembly. I didn't hesitate more than about three seconds. I said I'd take the committee on aging. He sort of smiled and said okay, you got it. It was a brand new committee even though somebody before that time had had a select committee on aging. So I made that choice.

In my first year there I started working on behalf of seniors. I developed a record of having 140 bills signed by different governors during my twenty years in Sacramento on behalf of senior citizens. There were that many bills signed including nursing home reform and all types of programs.

About a year later there was a vacancy on the Ways and Means Committee so again I went to the speaker and said now I'd like to get on the Ways and Means committee. Don't ever underestimate how powerful that committee is. So he appointed me. I also served on a subcommittee that dealt with health and welfare agencies and the like. That's where I started the arts and correction program.

The Effects of Proposition 13

Jarrell: I'd like you to give me your insights on the historic initiative, Proposition 13, which was passed in 1978. To start with, what kind of political climate do you think engendered this proposition which radically changed property taxes in California?

Mello: What brought it about was that people were being taxed out of their homes because the law that was in effect then said that the assessor had to put a value on your home based on its highest and best use. That was the terminology. Say you bought a home twenty years ago for $30,000, and the home next door to you was sold for $250,000 twenty years later, well that's the highest appraised value of your property in relation to all your neighbor's property. That's what was happening. Property taxes were going up every year. The legislature in trying to deal with that just failed to

come up with a plan that was fair and would put a halt to escalating property taxes. There were several initiatives that were on the ballot first, before Prop. 13. But they failed passage.

Then a taxpayer group led by Howard Jarvis and Paul Gann got all the signatures and they put this on the ballot. It really came up with a drastic change in property taxation. It said that property taxes would be limited to 1% of the assessed valuation. The full cash value as of July 1, 1978, was frozen. But they allowed you a 2% a year increase in the value. They allowed bonds to be paid off that were previously approved by the voters, and they had a clause that no further increases could be allowed unless voted on by two-thirds of the voters. What that did is it dropped property taxes from . . . the formula before was complicated. You were taxed on twenty five percent of your value but you were taxed at a higher rate like 12 percent or so of the twenty five percent. But putting it on a hundred percent value you were taxed at about three percent. Now that was lowered to 1%, so it was actually a 57% reduction in taxes.

It really hurt mostly those entities that were dependent on property taxes, like fire protection districts who just about got all their money from property taxes. Schools got quite a bit of their money from property taxes. Cities and counties get money from special sales taxes and other revenues, so in the mix they were still able to get these other revenues. There were some challenges to Prop. 13 in the courts, that the court threw out as not being valid. It resulted in a disparity in the taxes people pay.

Jarrell: For instance, you could pay $5000 a year on a house you'd bought after Prop. 13. I could have a house next door to you that I bought thirty years ago and there would be a terrible disparity. Maybe I'd only be paying $1000.

Mello: That's right. Because when you come in, let's say you come in recently, you bought your house for $200,000, let's say. So you set the value when you purchase it. Prop. 13 says the rates are frozen and the only way they change is when they are sold or purchased and newly constructed, including newly constructed to mean even if you added two bedrooms to a house. That newly constructed portion could be . . .

Jarrell: Taxed at the new rate.

Mello: So that lawsuit was lost in the court. But as time goes on this same disparity is going to even get worse. We've been in our home 45 years right now. Bought in 1953. So, what was happening if my neighbor's land was sold up here at today's prices, you know then the assessor under the old law would go ahead and appraise my land at that price even though . . .

Jarrell: Nothing had changed for you.

Mello: Nothing had changed. Only my neighbor sold. That's what people were complaining about. But let's take a subdivision where people have the same quality homes, they're comparable and the same values that they bought for $20,000 forty years ago. Then somebody comes and buys the same home next door that was built, say twenty or thirty years ago, at

today's market—$250,000. Well that newly purchased home's assessment will go up to what they agreed the price is. But your next door neighbor is paying taxes based on the old price. So what happens under the equal protection of the law, the 14th amendment? I think the courts will find that part unconstitutional. But I hope they don't throw out Prop. 13 per se because that will just create another problem.

I think what we have to do is come up with something that the newly purchased home doesn't pay the full purchase price, and then the one that was bought some years ago, allow maybe a little bit more than two percent, maybe allow a three percent increase, to bring those two lines . . .

Jarrell: To diminish this disparity?

Mello: Yes, instead of being like this, they'll be a little bit closer. I don't know. We had a business inventory tax that was taken away. It was an unfair tax also. It was a tax on inventory that businesses had. We also had an inheritance tax which was called a death tax and the voters voted that out. So the question is, has government struggled all these years since the passage of Proposition 13? Some have struggled, but a lot of them have found remedies for the shortfall in revenue. Some have consolidated and merged together, like fire districts.

When I was on the board of supervisors I tried to get all the fire districts to form one or two districts in the county, the smallest county in the state, outside of San Francisco. All these fire chiefs and commissioners came to the board room and they just really took me on, so I had to back off. I had a

study done that showed it would be beneficial to consolidate. So when Prop. 13 came along, what happened? They consolidated. They had to, in order to save part of what they had. Around this whole area you have fire districts now that have all been consolidated with other districts. So it's had that effect. I think most cities . . . what they've done, is to charge fees, building fees and park fees. But they kept the library free.

Jarrell: What about the impact on school districts in this county and statewide?

Mello: Well school districts have been struggling. I think Prop. 13 really had a longer lasting effect on school districts. The result is that our per-pupil support right now in 1998, is up to about $5400 a year per student in aid that is funded both locally and from the state and federal funds. But New York State is over $10,000.

Jarrell: I grew up going to the best public schools in California in the 1950s. Do you think it would be accurate to say that part of the decline in the quality of schools in California is due to the diminished money per student? When I was a kid in the sixth, eight grade, Mississippi was in last place. Now California is somewhere around 48, 47th, depending on what study you look at, in terms of per-pupil costs. California has gone from the top five down to the very, very bottom.

Mello: Yes, we're right in that 45th, 46th place among the states. Then there are states like Mississippi, Georgia, Alabama . . . they're ahead of us in support for education.

Jarrell: Do you view this as attributable to the fiscal impact of Proposition 13?

Mello: Yes, I'd say it's partly contributable, but I don't see a direct line between funding and the achievement of education. You can't throw money at the schools and say go ahead, make these students all Rhodes scholars. Money is a contributing factor, but I think a bigger factor is what's happening in our society, in California and many other states. If you look at the fabric of our society we have a lot of contributing factors.

Single parent homes, number one. Eighty percent of the women are working, which is fine. But it leaves a gap. I'm not saying that the women should stay home and take care of the kids which was the philosophy years ago. But there should be more assistance given to the child and more motivation for that child to do well in school; more help from the parents, helping them with their homework and helping them to learn to read better, to do math, and also to motivate them to go on to college and get a better education. That's one of the factors. Another factor is the changing ethnic makeup of our society here in California where we have a lot of immigrants.

So I tried to put more money into education, which I have supported all along. The schools have to reach out more, which they're trying to do now. Parents have to really get more involved in the schools. Get the mother to come and the father to spend one day in the classroom and see what's going on. We're all disturbed when we see these guns being brought to

school and people shot; when drugs are brought to school, when alcohol is being consumed by very young children. I mean, what's going on?

Jarrell: I didn't mean to indict Proposition 13 as the single factor. We have a whole backdrop of very complex social problems. Tell me what was the fiscal impact in terms of corporate and business sector property?

Mello: The largest amount of the tax break, about fifty percent of the total reduction in property taxes, was a big boon to corporations and businesses. Of those businesses, many were either nationwide or foreign corporations. Like, you know, Shell is owned by Royal Dutch and Chevron is nationwide and so forth. A lot of big companies, such as the railroads, saved on property taxes. I recall when Prop. 13 came about their argument was they're going to save money, but now they're going to give more; they're going to contribute more to help social problems we have in our society. I didn't see that happening. Very few businesses have really said well we saved a lot on taxes so let's put more money into helping the homeless or helping with school lunch programs. That hasn't happened.

Jarrell: One of the arguments originally when the campaign for Proposition 13 was going on was that this was a boon for homeowners and in particular there was a special appeal, I think, to the elderly. The corporate boon was sort of neglected. It certainly wasn't talked about very much. When Jarvis and Gann got together, who wrote that legislation? Did they have business interests?

Mello: There was a taxpayers group writing it. The other thing, legally, we probably could have had a split . . .

Jarrell: A split roll for businesses and residents?

Mello: Yes. But that would have to be in the constitution. But as I recall in 1979-80, after Prop. 13, there were thoughts about having a split roll so that the homeowners would maintain the gains of Prop. 13, but businesses would be on a different roll, a different basis. But they came to Sacramento and fought that—this means jobs. We're going to move out of state.

I'd say I think we survived Prop. 13. If I was in the legislature today I wouldn't vote to repeal it. But I would certainly work hard to try to remedy some of the disparities that we have, the unequal assessments that we have for property owners.

Jarrell: There have been several retrospective analyses of Proposition 13 in terms of California's state government. It's called the sacred cow. No politician dares to touch it. Is that true?

Mello: Well there've been a lot of politicians who have talked about the inequities of Prop. 13. But on the other hand, you have to be fair. I go back to what I said earlier. If it wasn't for what the former law was about, having to raise assessments every time a piece of property was sold within a few miles of your property, and suddenly here your assessment goes up and taxes you out of your home. Then we could have come up with something a lot better. We should have changed that. But we couldn't.

Jarrell: Then there's a larger political question. I think we could call Proposition 13 the grandfather of initiatives. There was the fair housing act before that . . .

Mello: Proposition 4.

Jarrell: Proposition 4. California got the initiative process under Governor Hiram [W.] Johnson, a progressive Republican. However, the original progressive impulse for the initiative process, in my understanding, has quite dramatically changed. If we look at Proposition 13 as a benchmark for this whole process, it was like the legislature was unable to come up with a palatable solution.

Mello: Yes, that's right.

Thoughts on the Initiative Process

Jarrell: Okay. So by default Jarvis-Gann came in to fill in the vacuum. But the methodology, the process of having people go out and sign petitions—they're backed by big business. People go out and get paid two or three bucks a signature. It's become very sophisticated. What are your thoughts on the initiative process as an alternative to legislative initiatives?

Mello: Well it's a remedy for the people to take action in lieu of the governing body not taking action. In all due respect to Jarvis-Gann, at least they went out and got signatures, petitions. There were just enough people around interested in tax reform. But what you see happening now, is for

two million dollars you can get anything . . . any idea you have. If you have two million dollars or a million, you can buy these signature-gatherers.

Jarrell: Right. Standing outside the Safeway. Five or six people standing there with their clipboards and they're paid.

Mello: They get paid. That's something only wealthy interests can afford to do. What we're seeing now, after Prop. 13, are things like the engineers from Cal Trans who went out and had this competitive bidding thing put on [the ballot] to keep 15,000 jobs in Cal Trans. They just raised money in their own working group and they were able to do that. Insurance companies have sponsored initiatives and there've been all kinds of . . .

Jarrell: And the tobacco interests, yes.

Mello: Yes. The tobacco people spent seventy million dollars just fighting a bill. There're more coming up all the time. That's the thing. We've taken away from the grassroots ability of people to reach out to government and make a change through the initiative process, and we're commercializing that now. I think what we ought to outlaw is the payment. You shouldn't allow anybody to be paid to go out and gather signatures. If you paid them a half a tank of gas or something like that for their out-of-pocket expenses, that's one thing. But just paying them . . .

Jarrell: Do you think an enactment like that could pass?

Mello: It's hard to say. I've seen more abuses from people being able to buy a way into the initiative process by paying people than there was in Prop.

13, where they went out and got people to sign petitions on their own, without any payment.

Jarrell: So you think that at some point, that the commercialization of the initiative process might be such that the legislature might conceivably try to regulate this?

Mello: It will be hard to get by the legislature because it involves a close balance between Republicans and Democrats. Most Republicans who are anti-government . . . just like now, they're trying to give over a billion dollars in vehicle license fees which hurts the schools. They led the fight to do away with the inheritance and inventory taxes and they want to cut the sales tax back. I've served with them. I can see their motivation. They think government should go out of business or shrink down to the point where they really can't do the job. There's a risk in doing that because government provides more than just custodial type services. They're out there fighting fires and floods, doing police work, and everything else. So it would be hard to pass the legislature, I think, with its present make-up.

Jarrell: So you wouldn't vote to repeal Prop. 13 if you were still in office? You'd live with it and try to modify it?

Mello: If the court threw it out today, if they said it's unconstitutional, so we go back to the previous law, these assessors would have a heyday. They would come in and then bump your values on your property to today's values, if you had a home that you'd lived in for awhile. Then when you got your tax bill you couldn't afford to live there.

Jarrell: It would be chaotic for the whole financial climate, yes.

Mello: And the question too is the Serrano v. Priest decision[4], where they found it was unconstitutional to have the property tax base be the basis for funding schools, because of the disparity between the low and high wealth districts.

Jarrell: But whatever happened in terms of the implementation of the Serrano v. Priest decision?

Mello: The answer to solving Serrano v. Priest is to have more state non-property tax money to go to support the schools. But what happened was we were so short of money all the time we never could never implement Serrano v. Priest fully. One thing Prop. 13 did was to remedy that to an extent because it lowered by 57 percent the collections of property tax.

The Growth of UC Santa Cruz

Jarrell: During Chancellor Robert Stevens' tenure there was a big controversy over UCSC's growth.

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[4]In 1971, the California State Supreme Court in Serrano v. Priest established the principle that a state may not condition the quality of education on the property wealth of a school district. The decision invalidated California's school finance system, which relied heavily on local property taxes. Under that system, the California Supreme Court noted, a rich district could maintain high quality education with relatively minimal tax effort. By contrast, a "poor district cannot freely choose to tax itself into an excellence which its tax rolls cannot provide."

Mello: They called me in on that. I was trying to help negotiate that. We did reach an agreement with the city of Santa Cruz to cap the University's growth at 15,000.

Jarrell: Originally UCSC was gong to have 27,500 students in perhaps 18 or so colleges.

Mello: For the size of the campus it's not an unreasonable amount because Berkeley has about 27,000 and it has a lot more impact because it's not planned the way Santa Cruz is. UC Davis is smaller, but Davis is right there in the city of Davis. UCSC is sort of on the edge.

Jarrell: There was quite an impasse between what the University wanted to do, how it wanted to grow, and the limitations that the city felt should be placed on the University.

Mello: The city just wanted to keep them at 9,000, or 10,000. Then they went up to 12,000.

Jarrell: We're at almost 11,000 now in 1998.

Mello: It's an agreement subject to change. I'm not advocating they change it but what I say is we get up to 15,000, then and let's take a look and see where we are.

Jarrell: I was told that you really came in and broke the log-jam between the city and the campus.

Mello: I did, yes. I mean I shouldn't take credit for it.

Jarrell: Town and gown relations were really at a low. The University does have autonomy and it can do pretty much what it wants. But you have to live in your community. So if the University just exercised its clout that wouldn't be very good for town and gown relations.

Mello: It would ruin the relationship, yes. I had to come up with an economic study. I said I want to know how much money the University contributed to the local economy. Because every dollar will circulate seven or eight times in a community, as much as ten times. The University gave the figure of all the salaries that are paid out. Salaries were something like seventy or eighty million even in those days. Then the goods and services purchased in Santa Cruz was a big number as well. And other supplies and things that they purchased. UCSC's influence was about two or three hundred million a year at that point. It's grown since then.

I stressed several points. Number one, I stressed education. It's not a question of doing this and how they're trying to look at the fire department and everything. The University was very vocal in trying to maintain this capped growth policy. Well I said you can't. You're going to deny people an education. I mean it would be a shame if you lived in Santa Cruz, and a block away is the University and you can't attend it even though you might have the fiscal means to attend it, and the grades, because of some stated cap that says no, you have to stop growing now. It would hinder people's education. There're enough hindrances already.

I'm all in favor of providing a college education and providing access. I fought against the tuition increases. You have to have economic access and not price people out of it. Education is getting more and more expensive, even though I think we remain low compared to universities in New York and Pennsylvania and other areas.

The University wanted to be a good neighbor while still holding out for what they are constitutionally entitled to. That was their position. But I think both sides came out okay. The city was happy. They felt well, for long term we are looking at 15,000 students, but when we reach 15,000 we can sit down again and agree to raise it to 20,000.

Jarrell: How binding is this agreement?

Mello: It's a statement of facts made back in the 1980s . . .

Jarrell: So if in ten years the University said well we have such a demand for our services . . . and you know they are planning the tenth campus, UC Merced. So could UCSC reopen this agreement and say okay, the demand for places at the UC campuses is such that we can't afford to build another campus. We're going to go for 20,000. That's a possibility?

Mello: Well to answer your first question, the 15,000 is a cap that was set by both sides but legally it's an agreement between both sides as of that date, projecting what their growth is going to be. Now this is because there were attorneys involved too. I think the way to approach it is the University would have to say, well we're up to our max now. We're at

15,000 and we're just bursting at the seams. People are applying and we're turning down people who really need an education. We've built UC Merced and it's filling up fast. We'd like to sit down and talk about another increment in growth, and share our plans with you, and show you what our needs are. Reasonable people would have to look at that. I think for them to lift the cap, the University would have to make a gesture of showing that there would be sufficient student housing available and other resources, so that it doesn't upset the balance in the community, cause rent increases for everybody in Santa Cruz and nearby areas, and be a drain on very limited resources.

But to answer your question, I think you could talk to any attorney, the cap is agreed to. It's good for . . . that was the intent at that time, to last them for a certain time in the future. But look at the spirit of what they've done in the past. I don't think they would just arbitrarily say well we're going up to 20,000. That would cause, I think, a negative reply from the entities around here. I think they would want to get in and start talking early. But it would have to be a give-and-take situation. I think they would have to show that it's not going to endanger the use of water and sewer, electricity, roads, and housing. One of the other things that the county promised was the Eastern Access Road. I really don't see a pressing need for it right now even though the county made a commitment and they never did fulfill it. The University mentions it once in a while, but I don't know how serious they are about wanting it built either.

Jarrell: It would just wreck Pogonip and the greenbelt established by the Greenbelt Initiative.

Mello: That's true. There might have to be some other alternatives. Bay and High Street seem to be the main carriers of traffic. Then you have Empire Grade and the main campus entrance. So, if they're going to raise the cap then they have to look at transportation too.

I think UCSC has been a good neighbor. Oh, there've been situations like during the Vietnam war when the students marched down to the county office building and we met with them. The Kent State incident in 1970 was a situation at the same time . . . National Guardsmen just went out and started shooting students.

Take a look at China and Tiananmen Square. I read once that Eisenhower stated that you can always tell what the future brings by how students are acting and behaving, how passive they are in our universities. That's a telling point to show you what's going to happen some years from now. And if they're just not accepting tradition . . .

Jarrell: Right, and they're galvanized in some way.

Mello: Yes, if they're protesting the Vietnam War this means, right or wrong, that they're just not going to sit passively by and let the world turn around. They're going to question what's happening and that's a healthy thing. I've thought of that many times. It's really true today. I think that when you see the students who are not only getting an education, but are

sitting there looking for betterment, looking for changes, looking for what's happening in our society, I think it's a sign of what the future's going to bring when they become adults. Of course some of the Haight-Ashbury hippies of the Sixties . . . (laughter) every once in a while they run a story and show where they are today and some of them are, you know, instead of questioning authority and protesting taxes, here they are up in the world, big business people, some of them are making big money. They finally found themselves, found what they wanted to do.

I don't know of a single thing that they've done at the University that I would criticize as being immoral or being anti-government, even though students question the government's policies.

Jarrell: You have a very tolerant view because I know that the people on this committee welcoming and encouraging the University to establish itself here were chagrined, to say the least, a few years after the University was established because of . . . the hippie lifestyle, the long hair, the marijuana, the anti-war protests. There was a lot of antagonism, disappointment, let's say, in the community. You're saying that you feel that that was natural and not immoral.

Mello: If you want to take these issues which so concerned the students, one by one . . . history will someday decide whether or not our involvement in Vietnam was right or wrong. I can't help but think even today that we . . . I spoke out then against our involvement. I was not an anti-war protester, so to speak, but I said, what are we doing over there? We lost an awful lot of boys over there. Men and women got killed over

there, it was so horrible. The history of Vietnam is really horrible. When John F. Kennedy was president we were involved. U.S. participation in the war had started with President Dwight Eisenhower. Are you going to question this general's decisions? I thought at the time, right or wrong, we have to be there, I guess. But as it went on questions came from the students. They invited me on the campus. In fact, the chancellor called me. Some of these things were happening and they didn't know how to respond. So they asked if somebody would come up to the campus, and sit around and answer some of the questions and talk with the students. I went up and there were several hundred students in the dining room at Stevenson. They asked me a lot of questions. Many questions on national policy . . . I didn't have any jurisdiction. But I was a person they could rap with. Congressman Burt [L] Talcott wouldn't come near the place, you know. I think he ran against Julian Camacho before running against [Leon E.] Panetta. Of the total vote on the campus, he got nineteen votes, and the other candidate got 2000.

Jarrell: What year was that?

Mello: Camacho ran in 1974, and came very close to beating Talcott, within about 2000 votes. It's a style. Burt Talcott had a style. I went up there and talked to the students. I wasn't defending the war. I was agreeing with them, but I said, quoting something I'd read: "America, right or wrong. When it's right, we maintain it to be right. But when it's wrong, we make it right." We get ourselves involved and try to change from being wrong to being right, by doing the right thing. So I quoted that to the students. I

made sure I was quoting somebody else, but I said this is what I believe in because I think we have to involve ourselves in the decision-making process, and in ideas, so that we can do the right thing. And not stand out there and throw rocks at the institution and break windows, that doesn't solve a thing. You just have to get out and try to change the course that we're going on. You don't do it from the outside; you do it from the inside. I believe in that strongly today.

Jarrell: So Dean McHenry invited you to the campus.

Mello: In the early seventies. He recognized that the students were just yearning for somebody to talk to who was not just on campus, somebody whom they could see who represented government of some kind. We had a big rally at the courthouse by the park, along the San Lorenzo river. They put up some speaker stands and I remember Assemblyman John Vasconcellos came down because he was really truly against the war. They had together about twenty speakers. I was one of them, speaking out against the war. They had some local city council people and local activists that spoke. When the students witnessed people in government speaking out against the war they couldn't complain about that. They were just glad that they could help. There were about 2000 people there. For Santa Cruz it was a big event.

Jarrell: Just to backtrack a bit here, when we were talking about the group of citizens, many of whom were Republicans, business people, chamber of commerce, who were some of the folks that you remember being especially

encouraging and really wanting the University to come here? Who comes to mind?

Mello: Quite a few people come to mind. There was a gentleman by the name of Hammond. He was the director of the chamber of commerce and Sam Leask, Jr. was another.

Jarrell: Scotchy Sinclair?

Mello: Scotchy Sinclair, editor of the *Santa Cruz Sentinel*.

Jarrell: What about South County? Was there a contingent from South County?

Mello: No, not too much. Other than some [UC Berkeley] Cal people. Marty Franich was a Cal person and the best we had from here were some alumni from the University . . . who thought this would be a good thing, to have a local UC campus.

No one expected the University to turn out as it did. I think it turned out very successfully but they didn't expect it to turn out as it did. They thought it would be like when they were in college.

Jarrell: Remember the alumni from UC Berkeley had a football team. UC Santa Cruz has no football team. (laughter) It's a different kind of a university.

Mello: I thought because I played football and am a football fan that we'd have our own football team here, and a stadium. I have worked with every chancellor at UCSC in one way or another. Now, Dean McHenry said very proudly that the campus here would have as its main emphasis the liberal arts and humanities. I thought, nothing wrong with that, but what I saw as a pressing need and the community did also, was for professional schools, computer science, engineering, and so forth. I made a pitch to all the chancellors. I said we have to diversify more. A lot of people went to Berkeley and to UC Davis and UCLA because we were not offering the kind of professional curriculum that they wanted. I think under Karl [S.] Pister is when it [began to change]. Then M.R.C. Greenwood got some people like Jack Baskin and others who made contributions, and established the school of engineering. So now we're moving in that direction.

The other thing that I encouraged and had a study made of, was to get the University to establish a school of forestry. This idea came from people in forestry. They thought it would be a natural development. But then the budgets come up and you want to do more in the music center, more in the arts here, more in the sciences, more in everything else. So the forestry thing got nowhere. But the thinking was . . . first of all, the location. UCSC would be the only university in a redwood-growing area in the state of California. None of them are right within the redwood growing area. You have Humboldt State, but that's a state university. UC Davis does a lot of research in forestry, but Davis is far removed from redwoods. Cal Poly is into agriculture. Some of the forestry people were willing to do test

plotting like they do for tomatoes and other things . . . let the University use ten acres of their land. They were going to do hybrid types of experimentation. What they wanted to do was to develop a type of redwood that would grow in warmer weather and develop faster. Instead of waiting sixty years for harvesting, maybe something could be grown in forty years. Just like now they're doing with strawberries. The University had a tremendous hand, and so did the private sector, in coming up with nice big strawberries.

Jarrell: These hybrids.

Mello: I submitted about a sixty page scenario on how a forestry school could be established. I think I gave it to Dean McHenry when he was still there. They thought it would be a good idea and their office looked into it. But it never got off the ground because we didn't have a big rooting section out there supporting the idea.

Jarrell: Do you remember that the Forest History Society used to be loosely affiliated with UCSC? It had been at Yale, then it came out here and was directed by a fellow named Harold Steen. The Forest History Society had their offices on River Street in Santa Cruz. They eventually moved and now I think they're at the University of North Carolina.

Mello: You see I'm not opposed to timbering because it's a renewable resource. What I was impressed with and trying to do was to bring about a better management of this renewable resource. But that program never got

off the ground. It might someday if they ever get somebody at the top, like the chancellor, who really says this should be a number one priority.

Elders-in-Residence Program

I started the Elders-in-Residence program up there, too, at Oakes College. My priority was to provide access for higher education to our students and to our elders.

Jarrell: How did you get involved in the Elders-in-Residence program? It's a wonderful program! I'm so glad you brought that up. I knew many of the elders over the years.

Mello: I went and sat in the classroom, which was such an experience. My hope was to give seniors a chance to attend on a space-available basis and get a degree. I always felt I should have gone on to college and got a college education and gotten a degree. I struggled through life without it, but it's always been a wish of mine. My goal was to get seniors into classrooms to fulfill their hopes and dreams and aspirations. I sat in classrooms for several days at a time, just watching, because it was made systemwide. I worked with some seniors who came to me and said we'd like to be able to go to the University and here it is that they have open slots. It started when the University enrollment was about 1500 students short . . . they had to get the spillover from Berkeley.

I was sitting in the classroom talking to the different students. One day I was talking to this group of younger students in their early twenties. Of course I was introduced by the teacher and everybody thought it was

great. I said, how do you like sitting in this classroom with a bunch of old people? They weren't really old, sixties and seventies . . . and they said it was wonderful. Students read about the Great Depression, about the soup lines, about World War II, and how the Japanese bombed Pearl Harbor and about Franklin Roosevelt, but here are people who can give you their life story about living in those times, and tell you about their experiences. It's an invaluable resource for younger students, because not were they reading about World War II, there're people here who fought in it.

Jarrell: So you had intergenerational education.

Mello: Yes, that's what came out. I thought younger students would resent having older people in their classroom, because they like to collaborate with their own age group. But no, they liked it. And the older people there thought it was just great. I haven't monitored it in recent years.

Jarrell: I don't think the Elders-in-Residence program is still going on.

Mello: The way it was drafted, they would not displace any younger students.

Jarrell: I remember several times, during the 1970s, that I gave talks and lectures to groups of the Elders-in-Residence, who were very interested in doing oral history over at Oakes.

Mello: Oakes College is a wonderful institution.

Jarrell: What was your involvement in getting the funding for UC Santa Cruz's Sinsheimer Lab and science research facility?

Mello: The science building was approved by the controller's office. It was put in the budget and I think that was a 23 million dollar proposal. But the fact that it's in the budget doesn't mean it's going to stay there. It could be taken out by the legislature; it could be vetoed by the governor. UC representatives in Sacramento always come to their legislative representatives in the district, and myself, and usually Assemblyman Sam Farr when I was in the Senate and he was in the Assembly, we both work our respective houses and go before the committee to try to justify it. In the Senate we were fortunate always to have Senator Nicholas Petris, who represented the University of California at Berkeley. He was a very strong supporter even though he was a Stanford graduate. He felt that his mission in life was to make sure the University of California budget needs got fulfilled. For example, he could have been chairman of a lot of committees with his seniority. But he chose to stay on the Rules Committee, and he chose to chair the subcommittee on higher education. He and I were very good friends and he being the champion of the University of California it was easy for me to go to him and say Nick, we need this down there.

The sciences are something that I was interested in, and I thought this would help diversify the University into a broader curriculum. I supported it enthusiastically and was able to get it through the budget committee. Their lobbyist told me that this amount of money for the science building

was the largest of any capital improvement project in the whole University system for that year.

The University of California, Santa Cruz, was in my Senate district. No other Senator had this University in their jurisdiction but me, and I felt it incumbent upon me that anytime they had a need that was justifiable [to go] to bat for them.

Jarrell: When UCSC's performing arts complex was being planned at Santa Cruz, what was your involvement?

Mello: I spoke with several people from the University. I believe Chancellor Robert Stevens was involved in letting me know how important it was to get it started. Of course I was so happy to see the music center there, because I myself was chairman of the joint committee on the arts, and music has always been one of my highest priorities. I felt this would be a tremendous resource for the University. I had some private tours before it was opened, with the architect. The acoustics are wonderfully engineered. Aesthetically you can sit in any seat and see the whole auditorium and have a good visual aspect of the performance. All the practice rooms are sound-proofed. You can have a loud drum in one room and a violin in another, and they don't interfere with each other's performance. It's truly a great resource for the University, and one I think that those students who are involved will really like. I went to sessions up there and saw the students being taught, rehearsing for performances. They were in their Levi jeans and T-shirts. (laughter) They were so enthusiastic about what they were doing . . . and I feel anybody who has

been on stage performing, no matter what you are doing, it gives you a feeling of presence, it gives you a feeling of self-esteem and confidence. You can have thousands of people listening to a musical concert of whatever kind, but the musicians are communicating with each other with their instruments. It's hard to explain, but when a person is doing a drum roll, or a trumpet or a sax player is doing a solo, they are amplifying each other in response to the message of the previous person. It sounds different on a tenor sax than it does on a clarinet or a trumpet. It's really an art of communication. Playing a gig is something that the performers feel good about, if they've had a good gig. Everybody comes away winning.

The science building, as well as the music hall, I think are two of the great capital outlays that were made there that were truly tremendous enhancements. They got the University more diversified than before. I think now they are on a track of fulfilling the true greatness of the University. I think UC Santa Cruz is right now in a tremendous part of their history in the 33 years that they've been in existence.

California State Senate: 1980-1996

Jarrell: When you went up for your first term in the state senate, how did you assemble a staff and establish your district offices?

Mello: First, you don't inherit anything from your predecessor. For example, I was majority leader when I left the senate, and so my successor didn't inherit the duties I had in my district offices or anything.

Jarrell: So it's up to each person.

Mello: It's up to each person starting in. The Rules Committee is the one that governs what staff you get. But it's done in a way where they set forth a minimum which depends on the size of your district. They have different criteria. If you have a district that runs in more than one county, you're talking more offices than if you just have a district containing part of a county. Like in Los Angeles County there're about twelve senate districts within one county. In fact one member's district down there is only five or six miles one direction, and five or six miles the other. It's very compact. He's got close to a million people living in his district.

It's put together on the basis of I think seven staff, the minimum. Say you are a district within a county, you'd be allowed one district office and a Sacramento office. In that scenario you'd probably be allowed four secretaries and three administrative staff people. That's where you start out. Then the numbers go up once you take on additional duties or have different assignments. For example, if you chair a committee, then you get committee staff. If you have a select committee then you get one or two extra . . . it depends on the committee. Now if you're the vice chair of a policy committee, the vice chair, not the chair, and this usually happens in the minority party, you're entitled to a staff person just by being vice chair because they have extra duties and get more staff. They're called upon to preside if the chairman's not there. They're also called upon to look upon their party for their information on bills for the Rules Committee which I was on for quite awhile. That's why I am aware of that. So they give you staff for all those duties.

So how I put together my staff. I only had one or two carryovers that went on to with me to the senate. A lot of them, for different reasons stayed in the assembly. Some were offered jobs before the election, which they accepted, not knowing whether I was going to be successful in the running or not. Quite frankly, the pay in the senate was less than it was in the assembly. It is run differently. Each house has its own set of classifications and pay scales. In fact, they do have a Joint Rules Committee. It would be even better if you had a Joint Rules Committee that would agree on a salary schedule.

Jarrell: For both houses?

Mello: For both houses. Then there wouldn't be this skipping around. In some cases . . . staff took a $300 a month loss of pay to work for the senate. Here you are thinking you are moving to the almighty senate and you take a big pay cut. So I complained about that when I first went over there because I had lost two or three good staff people. Other members did, too. So the Rules Committee did a comparison study and they changed their pay schedule, classifications. After about two years the pay was about the same and I think now they are pretty much in balance.

Jarrell: What was the size of your staff in Sacramento and the individuals and what were their responsibilities?

Mello: Well, I had several added duties which provided for additional staff. When I first went into the senate, I became Majority Whip. I think with that new position I picked up maybe two staff. I also had the Senate

Subcommittee on Aging, which had two staff originally. It got so big it was almost like a full policy committee although it was a subcommittee of the Health Committee. I ended up at one time having three or four staff for the subcommittee. We had a tremendous amount of mail and phone calls. We carried a lot of bills. My main objective in Sacramento was for the aging, and that carried a lot of bills. Then I became chairman of the Joint Committee on the Arts, and that brought me some staff. Being a majority leader of course is another key person in the senate. I had several select committees.

Jarrell: Let's see, select committees. I just got this out of your web site. Bilingual Education, chairman; Business Development; California Wine Industry, vice chairman; Citizen Participation in Government; Economic Development and Technology, chairman; Mobile and Manufactured Homes. These were the select committees.

Mello: Bilingual Education—I had a staff person for that. The Joint Committee on the Arts—I had at one time two people, because that was a very busy committee also. We were oversight to the California Arts Council. I carried a lot of bills on the arts, including arts and corrections. At one time I had a total of 32 staff people. When Prop. 140 came along and we had to cut back our staff people, then I cut back to 23. That's what I ended up with when I left. I had four district offices. I was the only senator with four district offices. Even though some members had districts that were larger, like the one that goes from Tehachapi clear to the Nevada border, and San Bernadino County. The district I had most currently went

from the city of Fremont and Milpitas . . . and I had the largest part of Santa Clara County . . . Gilroy and Morgan Hill; all of San Benito County, and all of Monterey County. It went clear on up the Monterey Peninsula and all of Santa Cruz County. The city of San Jose just has a part of it. So in order to serve my district I had to have an office in Santa Cruz, which was the main district office; and three or four others. I had four district offices with two people in each office, a secretary and a consultant or staff person. But in Santa Cruz I had three and sometimes four. I had some interns. It was a busy office. I had Monterey, Salinas, Gilroy and Santa Cruz. Those were my four district offices. I had nine to ten people there.

In Sacramento I had seven in my main office. I had four secretaries, one chief of staff, and two consultants. I had an office on the fourth floor, and then across the street I had a Committee on the Arts office. I had the Committee on Aging. Then I had the majority leader staff up on the fourth floor.

Jarrell: Who was your chief of staff?

Mello: Sheri Yee.

Jarrell: How did you find Sheri Yee?

Mello: When I got elected to the senate I sent out a letter to all the offices so all the staff people in Sacramento would see it. Usually they have friends waiting in the wings to come in. Sheri had a tremendous record up there. She had worked for George Moscone; for Greg Green, and she worked

when George Moscone was majority leader also. Then she went in the private sector to work for two years. When I had this opening, a good friend of mine told her about it. She came in and interviewed and I was really impressed with her. I hired her as one of the top persons, and later I made her my chief of staff. She stayed with me for the whole sixteen years I was in the senate. She could handle everything. She would sometimes stay until 7:30 at night when she was supposed to leave at 5. She'd just keep working, working and working.

Jarrell: What is the role of a chief of staff?

Mello: She oversees the hiring of the staff, and administrating the office, keeping track of legislation . . .

Jarrell: It's a big job?

Mello: Yes, it's a big job. I think I've only had one like her in my whole lifetime who was so precise with everything. Sometimes on Sundays I'd stop by the office about 4:30, 5:00 in the afternoon to get some papers to get ready for Monday. There she was working. Just amazing. She's Korean and a hard worker, very loyal. She was of tremendous value to me.

And my executive secretary had worked for Governor Pat Brown, for Governor Ronald Reagan, then she worked for somebody in between, and then she worked for me.

We'd have a description of every single staff position. The Rules Committee operates a little bit more flexibly so they don't get too nailed down on stuff.

Jarrell: What did Kevin LaGraff do at your Sacramento office? What was his role?

Mello: He started working with me as an administrative assistant when I was on the board of supervisors. Later on I hired him as my chief of staff in running my district offices. He did a good job of coordinating two offices when I was in the assembly. When I got to be in the senate then he had the whole function; I had at first three and then expanded to four offices. He coordinated them. About once a week he would travel to each office and spend a few hours going over everything with the person who ran that office to see how things were going. We'd be in touch daily. So he was my district chief of staff, whereas Sheri was my Sacramento chief of staff. They would work together.

Sometime later on he received a great offer, one of these deals that you can't turn down. He gave me thirty days notice and left. He was supposed to be get paid this good salary, a draw on percentage and everything. But after about two months he never drew the first dollar. So he quit. So here he'd quit his job. In the meantime I'd hired somebody to take his place. You just can't move people around very easily. He was out about a year altogether, but said he'd like to come back. So I made a provision for him to come back. By then he'd moved up to Sacramento. So he became my consultant for economic activities and for a lot of other issues . . . the liaison

for Spain, because we had a sister state relationship with Catalonia, and with Portugal. We would work on trade back and forth. He was the one that handled all that for me.

Jarrell: What about Larry Sheingold?

Mello: Larry Sheingold worked on the political campaign for me first. While he was working on the state level he was doing statistical studies. He was a very good statistical person. If I'd want to see what the prison recidivism rate was and how that translated, or things on aging, he was very knowledgeable about how to do that.

Jarrell: Who helped you in your Sacramento office? Did you have permanent staff who helped you research and draft legislation?

Mello: Ideas for the legislation would come from people out there working on behalf of seniors, ombudsmen, housing . . . the Alzheimer's association. They came up with the ideas and we put them together. I had a consultant for the Committee on Aging. But I was always . . . not to say I'm the boss, but the senator has to be in control . . . we wrote the legislation in a way that would satisfy them. A lot of times the groups would come with something that I knew wouldn't fly. They'd want to request information and we'd have a form that we'd make them fill out that showed how much is this going to cost? What's it going to do? Has it been introduced before? Was it defeated or passed and why? In years where we had deficits there was just no chance . . . I'd tell them there was no way we could get a bill out to start a new program.

Jarrell: Because of the fiscal impact?

Mello: Yes. We can't start anything new; we just have to keep going with what we have and try to improve upon it; or shut something down and start something else up.

I'm a structured guy and what was flattering to me in the senate were several Republican senators who said, Henry, I'm told you've got the best organized office, good administrative and personnel procedures, in the way you run your office. Can I come up and bring one of my staff persons to sit down and meet with one of your staff? Would you mind doing that? I said, no, I don't mind a bit. Because if you can be helped by me, and I can be helped by you, it will help our constituents.

The one thing I failed to mention is that a lot of the ideas for legislation came from me. In fact, the other night I was talking to a person here in Watsonville who's interested in politics, and he said, well who did all this for you? I said, who did this for me? I did it for myself; I came up with these ideas on a lot of things. Like affirmative action. A lot of legislation . . . that [bill] I [sponsored] about how we design appliances for longevity rather than obsolescence, I came up with that myself. You asked who drafts the legislation; my staff and I don't draft the legislation. We come up with the ideas and then take it down to the legislative counsel. These are the attorneys for the legislature, there're about 130 of them there.

Jarrell: They put it into legal language?

Mello: Usually a piece of legislation amends a section of the code . . . the agriculture code, the welfare and institutions code, and the health code . . . the criminal justice code. I have two of these books outside bigger than that fireplace there, stacked up high, all these books of all the codes. You can't draft anything yourself. You put it into the form you think it is going to be, but when they get up there they change it around. One time we were starting to put some language together on a bill dealing with water and I said, well, put down it's crystal clear. And so this good friend of mine, the attorney in the legislative counsel's office that had the water section, he dealt with all the water issues. He said, "Hey Senator, I know what you feel when you say crystal clear, but I can't use the wording." I said, "Why can't you?" And he said, "It hasn't been defined legally by the courts."

Jarrell: Yes. What is crystal clear?

Mello: I said, "God almighty." I said, "I could define it myself." Crystal clear are probably the most definitive two words that I know of." He said, "I'm sorry, but our policy here is we can't come up with things that could be challenged or misinterpreted." So that shows you how they operate. They have to find things that fit into legal language.

Jarrell: Now if we're going to track a bill, that's what I'm getting at. You come up with an idea. You had so many productive ideas when you were working on aging and seniors, elder abuse, *A*lzheimer's and nursing homes. I read you originated at least 120 bills that were signed into law just in that arena.

Mello: Closer to 140 when I got all through.

Jarrell: Okay. So you would come up with an initial idea and see a need for a piece of legislation. Then maybe you'd work with Larry Sheingold or Paul?

Mello: With Paul Minicucci. I'd hold hearings on an issue such as elder abuse and the testimony shocked me. I came out of a very loving family, close-knit. Everybody was intertwined, my mother and father, and the children, and their relatives. In fact it was just overwhelming that we had such a family network. When I held some hearings on elder abuse we found that forty percent of elder abuse came from members of the family, I just couldn't believe it. But it's true. The statistics are there that sons and daughters take a frail mother or father who has Alzheimer's disease or physical and mental disabilities, and they push them down stairways and do things that really abuse them. There're police records that show that. A lot of it is unreported because the victims are incapable of reporting anything.

You get it from the volunteers; you get it from the different organizations. There're some people that deal strictly with policy and housing; others deal with elder abuse. There are ombudsmen, information referral groups, Meals on Wheels. They're all groups that work closely together.

Jarrell: So they give testimony in hearings, and you are constantly being besieged with needs that maybe have been formally never identified.

Mello: That's right. Some of them have never been identified.

Jarrell: In about 1966 the California legislature became much more professionalized. Could you discuss some of these developments?

Mello: When Jess Unruh was the speaker he put the legislature into a more professional mode by making it full time, and then providing staff for each member. There's a very seasoned staff now. In very complicated areas such as revenue and taxation, or health issues, there's a person you can go to with a question and he can give you an answer right then. If he doesn't have it he will come back in ten minutes with a typed-up summary. That's all they do.

Jarrell: There're experts in all of these issues.

Mello: Yes. It improved the quality of information so that the California legislature could work on identifying ways to save money or to develop programs that were cost-effective and helped fulfill a real need. The staff costs money and there're a lot of staff up there. Prior to that, a senator had a secretary to answer the phone and do things like that, but didn't have anybody doing the consulting work and research. Now there is really quality work.

When I came up with an idea, in order to put it in print it took my staff, the legislative counsel, and a lot of people to do the research. Sometimes you'd even do a search out-of-state and see what other states may have tried to do. Legislators also belong to the National Association of State

Legislatures, and go to meetings once or twice a year and learn how other states solved a certain problem. Of course California is a lot different than Wyoming.

Rather than trying to start a full-blown program, we do a demonstration program. We test it out in two or three counties. You couldn't test anything out in Los Angeles County with nine million people there, it's just too big. So you go into smaller counties and try a three-year demonstration project and see how it works. It has to be re-authorized if it does . . . If it doesn't work then you just scrap it.

In the first thirty days you can't do anything with a bill; it just has to stay there in print, in order to give the appropriate notification that you're trying to come up with a new idea for a bill. This gives people a chance to find out what you're doing. Now how does the public find that out? Well they read about it in the paper, or it is listed by a lobbyist group that has a tracking program that tracks these bills. Teachers, hospitals and insurance companies all have their own lobbyists.

Jarrell: And they monitor every bill.

Mello: Yes. After the thirty days you can have the first hearing before the policy committee. If it passes, then if it has any fiscal implications, it goes to the fiscal committee, the appropriations committee in the Senate. If it costs very much money the appropriations committee usually doesn't pass them off. If it costs over $100,000 it goes into what they call a suspense file. Those are put aside until the budget is approved. If there's money left over

to do legislative initiatives, programs, then they will take them up at that time. Usually there's 100 million dollars set aside for legislative initiatives in both houses.

Jarrell: Where did that figure come from?

Mello: It's just a number. Sometimes you have five billion dollars worth of bills. Say you want to lower school class size by five students per class. That costs like three billion dollars. There're bills that really are costly. If you want to get everybody free prenatal care and postpartum care, and have the state pay for it, that costs billions of dollars. So these bills are put in suspense. They never see daylight even though they are good ideas. But they just are way over the amount of money that's available. 100 million dollars is a figure that we used for several years. This year they got about 4.5 to 5 billion dollars.

Jarrell: They've got a big surplus.

Mello: That's not all from the legislature. That's to do between the governor and the legislature. It's hard to take any of that money to start a new program. The legislative analyst analyzes bills and costs. They look at a three to five year cost if you're starting a new program. Some of them start off the first year with maybe two million, the second year five million, and they get very costly after awhile.

When you take 100 million dollars it seems like a lot of money. But there're 120 members and you just don't divvy it up 120 ways. Some programs cost

five million dollars; some cost ten; some cost hardly anything. So it's tough to get a bill out and get a new program started. You really have to have a sure pressing need for it, and the cost has to be within the economic realities, otherwise you have a difficult time getting it down.

California State Budget

Each house puts out a budget, through their budget committees, holding hearings, and going through each department. Then you go to a conference committee. The conference committee then negotiates the differences in the two houses. If one has two million for an item, and the other has three million, then you have to reconcile that. It's either two or three. It can't be less, unless there's a way of getting around it somehow if both sides agree to want to do more or less. The final budget is passed by a two-thirds vote of each house. Then it goes to the governor. Now the governor has got his blue pencil option where he can blue pencil out anything he disagrees with and Governor Wilson and Deukmejian both have done that. Then they'll sign the remaining part of the budget. It takes a long time. Once you cross the deadline the pressure keeps getting on.

Jarrell: We're way past the deadline this year.

Mello: The budget process goes through the budget committee hearings. Then that's set aside while the big 5 goes in there and sets up their own budget. Democratically, or from a representative point of view, procedurally, it leaves out the broader consensus of the two houses, even though the big 5 comes out and makes changes to the budget as presented.

After the governor agrees on it, then it goes to the two houses as a formality for passing the budget.

Then they have what they call trader bills. You can't enact legislation on a budget, you can only appropriate money. So the trader bills have the language that implements the legislative part of an idea that's put into the budget. Sometimes you have 30 or 40 trader bills that have to be passed in order to make the budget work. A lot of members of the legislature don't like it because they feel it's in the hands of the big 5. Of course our leaders from our house meet with them almost daily. We caucus. The president pro tem of the Senate would be one of our representatives. The minority leader would be the other one. You have the same thing over in the Assembly. . . the speaker and the minority leader. Then our leader in the Senate who meets with the caucus brings it up to date when we are in negotiations, and gets feedback from us. It's an open- type meeting. Everybody's got a shot, a chance to provide input. Then our leader knows what the caucus position is and goes back and tries to negotiate that position. When the final language comes out it's more or less something that hasn't been through the budget process, per se, but it's built from the big 5. But there've been times that a lot of our members felt that we ought to do away with the big 5 and just go back to the normal way of doing the budget.

Jarrell: But that's just been going on under Governor Wilson's tenure?

Mello: Yes, they started at that point when they reached a big impasse and couldn't seem to get any resolution. Governor Deukmejian always said give me a budget and I'll either sign it or veto it. The governor presents his

budget to the legislature. In a formal way it's all drafted by the governor. It's his budget. He gives it to us and we go ahead and hold the hearings and make the final changes on it. Or we adopt many times what he's asking for. And then it goes through the process. The people of California just can't understand why we go beyond June 15. Why the delay getting a budget out? At some point you have a deficit and you really have to scrounge around and figure out what's going to be cut. This year, 1998, we have a 4.4 billion dollar surplus. So now the battle is not over what you are going to cut, but how you're going to spend the surplus.

Jarrell: To what do you attribute this tardiness? Here it is August 3, and the budget is overdue.

Mello: We're exactly one month and three days late.

Jarrell: So this is becoming chronic in California. To what do you attribute this?

Mello: Everybody knows that the more you delay, the more the pressure is going to be on. The pressure mounts when people aren't getting paid. You've got nursing homes that aren't getting paid; you have other providers, employees, who can't be paid without a budget. Even though this year, 1998, they approved a 6-week budget and got ready to pay . . .

Jarrell: Their immediate bills.

Mello: The constitution doesn't provide for adopting a partial budget. Nobody has filed any action yet even though somebody attempted to do

that. I'm not saying it's a bad idea, it just prolongs making the final decision. So that's why no one does it on time. They threaten to take away legislators' pay and the battle still goes on. I come out of the business sector where we start at 8 o'clock in the morning and work until 5. Sometimes you have overtime. You know exactly what you've got to do. When the legislature starts its session in January, they really have nothing on their horizon. They come back and start drafting bills. There's a waiting period before you can hold hearings. So for about two or three months you don't do anything but go through formalities and the day-to-day business. But then the hearings start coming in and the budget process is there. You have all these deadlines, and all these bills coming in at one time. There's a backlog of sometimes eight or nine hundred bills that have to be dealt with in a two-or three-week period. If you put this on a flow chart you'd see a line right near zero for about three or four months, and then the workload will peak way up and start getting alarming. Once the budget is over, you adjourn for the year, and then it goes back down again. It's better to have a straight line somewhere that provides for a daily activity every single day where you do so much, and you don't wait until the last minute to get it done.

Arts in California Prisons

Jarrell: You were strongly involved in the arts in the prisons program. Maybe there were people who thought that was a terrible idea, that you were coddling criminals, that prisons are for punishment. Did you receive any kind of criticism like that?

Mello: The amount of money wasn't that high but it was tough to sell. In fact, when I was carrying that bill I was also running for the senate. I was down in San Luis Obipso County, which was part of my district then at a campaign event. There must have been about a thousand people there. The person who introduced me ad-libbed a little bit. He said, "Well, Assemblyman Mello was the one that got money so we could start arts in our jails, in our prisons. Imagine, we got to start teaching them how to do art now. They're already living in the Hilton Hotel; they have color TV; they've got cohabitation privileges. What's going to be happening next?" I didn't expect him to start like this. A lot of people just booed.

I thought at one time myself that you just put people in prison and keep them off the streets and that's it. But once I got into dealing with the prison arts program I looked at the issue differently. The program of arts in the prisons was not the most difficult in terms of money but it was a very difficult bill in terms of trying to explain its benefits.

Jarrell: So it was politically a difficult initiative but fiscally it had limited impact.

Mello: We started out with $400,000 and it's up to five million now. But the recidivism rate has dropped from 77% down to about 25%. Those numbers are a result of several studies. Two years after we started the arts program, the director of the Department of Corrections was invited to a national conference of correction directors. They'd asked him to give a little talk about California's art and corrections program. He called me up and wanted to know if I would do it. I said I'd be happy to do it, but the

point was it was his fellow colleagues who were also corrections directors. If they see a senator who's really high on the arts talking about this, it wouldn't have the same effect as the director saying we've tried this and it works, it's been cost-effective. Here's how many people have not returned to prison because they've gone through the program. So he went and did it. My staff and I helped put together some of the talking points, to use that term. Several other states wrote him after that experience. He referred letters to our committee, and we sent them back all kinds of information. Many other states have started the same arts in corrections program.

It had been tried before but California got it off to a good start because instead of jumping into it we went in with the National Endowment for the Arts. They gave $50,000. Eloise Smith had a plan. She was chair of the California Arts Council in those days, appointed by Jerry Brown. They did this $50,000 study. For the study they bought supplies, paint brushes, paints, and a few musical instruments and they put someone up there running a program with volunteer artists to do the inmate instruction. That's how it got off the ground.

The inmates from Folsom Prison had art created in prison on display on the third floor of the capitol building. There must have been 100 or 200 pieces of art hanging in the corridor. One evening I was walking along looking at the exhibit. These two ladies were there talking. Most people had left the building by then. They turned to me and said, who would be interested in looking at this art? You mean to say, this was done by prisoners? I said it was done by inmates at Folsom prison. She said, "My

God I can't believe it that people in prison could produce this." You could see the perception that people have. They think someone in prison is subhuman to some extent, and they lack the qualities, or abilities to do things that other humans can do, such as art, or playing a musical instrument.

I once thought that about people who committed crimes and were in jail. There're some real criminals that there're just no hopes for. They've done things that are just horrible and they don't lend themselves to rehabilitation at all. A lot of it stems from economic problems. A lot of it's caused from their own doing, going down the wrong road. But if you believe that there's hope in trying to save a person's skills so that they can change and modify their behavior, it's worth a try. We have letters from inmates who went through the program and were able to change their whole life. But it was so hard to sell. If you put an issue on the ballot about building more prisons then people will vote for it, even if it costs a ton of money. Somewhere along the line you got to cross over and find out what the root causes [of crime] are. In many cases it's education. Number one, that's the biggest . . .

Jarrell: Certainly some of the studies I've read show that an overwhelming majority of prisoners are illiterate school dropouts, with no marketable skills, with really nothing to bring to the table.

Mello: More than fifty percent do not have a high school diploma. A lot of them dropped out in elementary school.

Jarrell: When I spoke with Kevin LaGraff, he said, "You know, Henry certainly brought home the bacon for his district, no question about it." Several people have told me that and said that we'll never have another senator who takes such good care of his district. However it's been brought to my attention also that much of your legislation, especially the seniors legislation, benefited everybody in the state.

Senior Citizen Issues

Jarrell: In your work over the years with senior issues, especially nursing homes, there's an interface with the feds, because they are paying the Medicare and MediCal bills.

Mello: Well I want first to talk about how I got to know U.S. Congressman Claude D. Pepper quite well. What a dear person. He was first elected to the senate from Florida way back in the 1940s, when Roosevelt was president. Then he got defeated. A year or two later he ran for Congress and got elected and served in Congress for years and years. He was such a strong advocate of seniors. Of course myself being chairman of the Committee on Aging here in California, we got to know each other. He became chairman of the Rules Committee in the congress. The chairman is the one who can keep a bill from moving, or move a bill. What he did one year was he just took a bill on Social Security and moved it for a vote on the floor. He put everybody on the spot. He solved many times, they'd call it the Pepper correction at times. But he came up with ways in which Social Security was going to be protected during the 1980s. He was such a great

person. I met him and others who worked on behalf of seniors as well. They were always looking to California.

We seemed to be about five years ahead of the other states in coming up with home care, senior housing, elder abuse and nursing home reforms, Meals on Wheels and just dozens of programs. They were interested in seeing how we did this. In fact during our national legislative conferences they always called on me to make a presentation on some senior program that they wanted to hear about. We were doing their job for the other 49 states. We always had a big turnout because other states were struggling with how to cope with meeting the needs of senior citizens. Claude Pepper, he was one ally I got to meet whom I really thought a lot of. He was just a grand person. That was heartwarming to be able to meet a person like him. He just fought and fought. He didn't mind who he ran over or kicked in the pants or anything. He fought for seniors. He fought hard and he won. He very seldom lost.

Jarrell: The whole landscape of federal programs for seniors would be utterly different if it hadn't been for him.

How did you become interested in issues of the elderly, of senior citizens and all of the related issues? You've become so identified as a real advocate. How did this caring, this interest, develop in you?

Mello: It started in my home with my parents, with my grandparents, with my mother's, my father's family. Back in those days I don't recall any nursing homes. Not the kind of nursing homes we have today. Hospitals

were sort of inadequate, also. But I saw a lot of people caring for each other. Whenever somebody was sick in the family it was almost like a vigil. The family would get together and pray and do what they could to help the person who was really sick, bring food over to the house . . . and a lot of people who became disabled, their own family kept them at home; sons and daughters cared for them in their home until they passed away. It was a family-type feeling.

Santa Cruz County in the 1940s, 50s and 60s had had close to 20% of its population made up of senior citizens. They'd come here to retire from Bakersfield, Sacramento, to get away from the heat. When I got on the board of supervisors revenue sharing came along. The federal government gave us revenue to share with whatever priorities we wanted. We had the authority to decide what we wanted. I made a strong pitch for helping senior citizens at that point. There were some senior citizens organizations, some senior centers operating in Santa Cruz because we had a large senior population. So we gave about $200,000 to senior programs. Some went into childcare, into road improvement and other areas.

About two years later when the reports came out, it just happened that Santa Cruz County had put more money in for seniors, not on a per capita basis but on a dollar basis, than Los Angeles County. We were number one in the state helping seniors. I was the one who told the board let's help . . . I guess I acquired this feeling about our seniors, who had built our country and worked during the Depression, fought our wars, and really made America what it is today. Then the federal government started putting out

some grants, along with revenue sharing, and we put some money into Project Scout. There was an article in the *Santa Cruz Sentinel* recently about Project Scout. They have been here for over thirty years. I was on the board then. The Project Scout senior citizen outreach went out and counted the seniors in our county, found out what kind of needs they had. That was something I was directly involved with. The thing that was surprising was how many seniors had never heard of Social Security. How could you not have known about Social Security? Well, people who didn't speak English were language isolated.

We identified a lot of the needs of seniors—health needs, nutrition, housing, transportation. I helped to start a couple of senior centers. I was on the board of the Watsonville Senior Center. The first one was here on Third Street. Then we put money in and helped build the Mid-County Senior Center at Nob Hill in Capitola; then the Senior Center up in the San Lorenzo Valley. The centers were where people came together.

About that time the meals program got started in the senior center. The benefit was nutrition, companionship, people getting together. And other programs that were allotted to the senior that enriched their life.

As chairman of the Senior Citizens Committee in the senate I started working on these issues. It was tough. A lot of members didn't have the same feeling I did about seniors. In Orange County the senior citizens are the wealthiest. They are very affluent. They said what do you mean we have to help out seniors? I said they are needy. The census showed that

about 30 some percent of seniors were living below the poverty level, and showed nutritional and health needs.

By then I had worked for eight years in Santa Cruz County on those issues and I had a lot of good ammunition. I had good staff. I had John Delury and then Paul Minicucci. John, unfortunately died of a heart attack while I was in office in Sacramento. He was a very religious person. In fact he went into the priesthood for awhile and decided not to continue. He had values that were unselfish and committed to human purposes. He was a great resource person, well liked by all the community, and a real fighter. Boy he could get out there and really go! So he's the one that really helped me get off the ground.

Paul was a playwright and musician, and my consultant for the arts. Then we had to cut back our staff. I had to give up the arts committee at that point. Paul was planning on leaving to go to Chicago, where he had interviewed for a job. I felt so bad at losing some great staff. I told Paul that I really hated to see him go. John DeLury just passed away and I had the position open for senior citizens, for aging. I got to thinking, a consultant reads, gets acquainted with the codes and learns the issue. It's no different being a consultant for aging than it is for art. I offered him the job and he accepted it.

Jarrell: And became eventually an expert in that field.

Mello: He's such a bright person. It didn't take him more than about six months and he was really up to speed. He had gained a lot of respect for all

the different groups. When I left office in 1996, a senior group hired him right off the bat and he became a consultant for them at quite a big salary, a lot more than I was paying him. I was paying him pretty well up the ladder. Then he got hired about a year ago by the anti-smoking group as a consultant for them, too. So he moved into another, third field. But he's so spectacular as far as his ability to grasp and synthesize issues.

I had some great staff. I had some other assistant consultants who really did very well, also. You pick good people and they make your job easier. I talked daily to my consultants, especially those on seniors and aging, and they told me the things that were happening, the road blocks. For instance, the senior food program, Meals on Wheels, the state would come along with an allocation plan. Then we had a hand in writing the formulas for how the food was to be distributed. We'd take a certain percentage below the poverty level. Fresno would look at the formula and say they didn't like the new formula. Orange County fought me on the formula because they didn't have the poverty level of people among their seniors. My staff really played a hand in that, trying to balance out the different values. We had some good times together. We had a lot of bills that got signed into law because we wouldn't quit. We just kept moving with what we thought was right.

My staff wrote this about my legislation in behalf of seniors: "[Senator Mello] made adult day health care accessible to those living in isolated rural areas. [He] has authored some 300 bills to protect and improve the lives of seniors, increasing legislation that would provide broader, more

accessible housing options for seniors. The establishment of varying levels of care in institutional settings, thereby maximizing the independence of the frail elderly. Legislation protecting seniors from insurance fraud schemes . . . expand access to health insurance . . . Senator Mello is known as the Claude Pepper of California."

California Senior Legislature

Jarrell: Where did the idea for the California Senior Legislature come from? Please discuss its work.

Mello: It came from another state, either Michigan or Wisconsin. They formed what they called the silver-haired legislature. It is a mock legislature where people are selected to meet in session and come up with priorities. It was a novel idea and a way to give seniors a chance to put forth their own priorities.

I introduced a bill and patterned it after that midwestern state. But right away a lot of people said we don't want to be called silver-haired. At any rate, we called it the California Senior Legislature, and the bill passed. A lot of members of the legislature said are they going to call themselves senators and assembly people? I said yes, but they will be called senior senator or a senior assembly person. A lot of legislators felt that they might infringe upon their own identity. I said, well, if people don't know you in your own district . . . it's not a very good argument.

A lot of people said we should get to appoint these senior legislators ourselves. I said the point is they should not be beholden to any individual

legislator who wants to appoint his friends. These [appointments] should evolve from the senior community, and what I've got in my bill is they have to be elected. Just like we do. Everyone of that age group, I think it was 60 or over, would get to vote. We won out on that.

Their record speaks for itself. It first started about 1979 and they have had about a 70 percent success rate in the bills they have designated as priorities. They get together and I, amongst other legislators, preside. I preside over it in Sacramento. Even after I left office they still call me to come up there and preside. Other senators rotate it around. First they meet in a committee and come up with what their priorities might be. It might be adult day care, nursing homes, or transportation . . . and then they prioritize them. They come up with both federal and state priority lists. The federal list pertains to Social Security, Medicare, and issues on the federal level. The state issues are all the other issues that we have jurisdiction over. Once they get out of committee then they come to the floor sessions of the senate and the assembly. They operate the same way we do. The bill has to pass both houses, and instead of going on to a governor, they don't have that, they have a joint rules committee in charge of procedural issues. So the final action is to come up with ten different priorities on a state level and up to ten on a federal level, all of which have to be passed by the state legislature. Then they are put onto a list of priorities and are distributed to the legislature in both houses. Members scramble to carry those bills. The bills that don't make it are the ones that cost a lot of money. They come up with health care plans with broad services which could cost into the billions of dollars, and the economic

realities are such that it's just not possible to implement a costly program. But by and large about 70 percent of their bills have been passed by the legislature and have gone on to be signed into law by the governor. That's higher than any other advocate group in Sacramento. Getting 70 percent really shows that their recommendations are taken with great strength and credibility and put into law.

The members are selected by their own age group. There's a senator from my senate district. There is an assembly person from each assembly district. The election date is set. It's the same date all around the whole state. The elections span over a 2-4 day period. They are held in central places. People run as individuals. They have to be well known or known sufficiently by senior groups in order to get elected. That means somebody from AARP who has been very active, or somebody from senior centers or food programs who has good name identity, and good backing. It's hard for a 30-year-old person to say what's best for seniors, because they don't have the life experiences of an older person. But it's very easy for a 65-year-old person to speak on behalf of seniors because they've gone through the hard times and the good times, the wars and the scrambles, the Depression and everything. By the same token I think youth ought to speak for youth.

When we have our annual session we have groups from other states come here to watch the seniors. They are interested in doing the same thing. It's all videotaped, and some of the tapes go to other states. Other states have done this. I think about twenty or thirty states now have senior legislatures.

AARP is very well represented as well. They have a lot of clout in Washington and Sacramento. They have an official lobbying group, and they do quite well. Most of the time I think AARP is great on the issues. One time a few years back though, they were on the wrong side, when Congress passed that catastrophic health plan which was later overturned because AARP didn't look at the statistics. The catastrophic plan affected about 3 percent of seniors and yet they went for that and it cost quite a bit of money. You have to look at priorities. Long-term care, statistically, is a more pressing issue that affects about 50 percent of the people, than does catastrophic illness, which affects about 3 percent. I think the Congress wisely overturned it. After about a year they heard so much opposition.

Jarrell: Right, and the co-pays were very high.

Mello: Yes, and the definition . . . what is a catastrophic illness? You could interpret it broadly or narrowly. I was so glad to get that overturned. Long-term care is still one of the most pressing issues, and nursing homes, which are a part of long-term care. But long-term care also could be home care or assisted living.

Jarrell: Have their decisions had a very strong influence on the issues that you subsequently became involved in? You said they had ten items or issues on each state agenda. Was the Senior Legislature influential in the things that you decided to work on?

Mello: Yes, many of them designated certain bills that I introduced, and other members did as well. Many times they came up with an idea that I or others hadn't thought of before.

Jarrell: Can you think of an example of that, of something they came up with that you and your colleagues hadn't even thought of, or hadn't identified as an issue?

Mello: They've come up with a lot of good ideas dealing with senior needs in rural areas, like transportation; there's a great need for housing and services that aren't available in rural areas. They brought up the point that a lot of the state and department offices are located in urban areas, and people in remote areas have to travel long distances to go to talk to a certain department. Because of that, the state has placed some ombudsmen and senior housing and things like that in the rural areas. In some cases, not to put a program there permanently, but maybe come there once or twice a month and publicize it, and get input from seniors.

Nursing Home Reform

We're doing more today for seniors than we've ever done in our history. What's ironic is just recently an article in *USA Today* discussed what's happening in Washington in nursing home reform. Many of the things they're talking about California adopted eight or ten years ago, fines and penalties for deficiencies in home-giving services. Nursing homes provide skilled nursing. A person must meet certain criteria for being in a nursing home—whether you can take care of your own meals, go to the bathroom,

dress yourself, walk adequately. I carried a bill to raise the skilled nursing hours from two hours to three hours a day per patient, about a fifty percent increase. That costs a little bit more money. But everyone in a nursing home does require skilled nursing under their admissions criteria. Three hours a day out of 24, the nurse must provide supervisional medication, take care of other chronic problems. That provides for a better level of care but also increases the cost as well.

The way to look at this continuum of care we have for seniors and others—see most policies start out at the top. You have an ICU in a hospital, which is acute critical care. Of course to be in a hospital you have to be acutely ill to begin with. If you have surgery you come out and go into an ICU unit. But that's very costly and once you recover adequately you go back to your room. But you are still acutely ill in the hospital, because they won't let you stay there if you're not. Once you pass that level then you can . . . many hospitals now have skilled nursing homes within the hospital. Patients get less care than they do in the regular acute care room, but they get more than they would get in a nursing home. Then people get in the nursing home and that's another level. Then you have board and care, and then you have assisted living. I didn't mention hospice care, which is way up there. Hospice care is for those who are terminally ill and require a lot of care, usually cancer patients or cardiac patients. It's about $200-$300 a day to stay in a hospice.

What a lot of my bills provide is ways to keep people at a less costly institution and provide the services there, try to meet the needs of the

patient. The alternative is to have them treated at a higher cost and at a higher level of care. It really requires a lot of needs assessment for the individual, to make sure that you can care for them in the proper setting that will meet their needs, and also in relationship to the costs that are borne.

Medicare pays for about two months at the most, usually one month. The situation that develops then is if you have more than $2000 of liquid resources then you have to pay for your own care. Then they do what's called a spend-down of what you have. You become near poverty. Then Medicaid kicks in, if you qualify. It pays on a federal level and then the state has to pay its share. It's a match. Right now the total number of people in nursing homes in California is about 120,000. A great percentage are covered by Medicaid.

The private paying patients, or people without insurance, which are very few, create the balance. If states want to come up with a higher standard, the federal government usually will follow our lead and pay their share. Sometimes they set standards, and if we don't meet their standard then we have to either have a waiver or change our rules and regulations. The rate in California is about $120 a day for nursing home care. In some states it's about $40 or $50. They have a lower wage rate. They have a lot less hours of nursing per day and don't enforce a lot of the food and safety items like we do here in California. That raises the cost.

I've also fought for getting nursing homes more money over the years. I can't see that they are going to raise the level of care and pay out of pocket.

They'll skip someplace, or they will go broke. If you want to keep the nursing home providing a better level of care, you just have to look at the reimbursement and make sure it's fair and equitable, and reflects the level of care that is best for the patient.

Jarrell: California has about 1400 facilities.

Mello: I think there's 1600 right now.

Jarrell: What kinds of regulations did you push for, and what kind of opposition did you get from that industry?

Mello: Well we pushed for a lot of regulations. In each county you have a senior ombudsmen that visits nursing homes, and talks with patients. They are available by phone to answer complaints. They would come down and say this is what we need, and this is what's necessary. There are also nursing home support groups formed by people who have family members in nursing homes. They work very closely with nursing homes.

Jarrell: So it's a personal, informal oversight system.

Mello: I carried bills for fining the nursing homes for the deficiencies found in inspections—unsanitary findings on the food, and within the facility itself, cockroaches and other types of unsanitary situations. A lot of nursing homes would provide sedation.

Jarrell: Right, and restraints.

Mello: Many residents are mental; they holler a lot and they try to tranquilize them with a lot of sedation. Some homes want to use physical restraints. I carried a bill outlawing that; also outlawing locked rooms, because of fire hazards if something happened. They'd try and lock the room to restrain people. Medical records, like putting down on the sheet when they provide the medication. That's very important, so when the doctor comes in and looks at those sheets they see that they did take certain medication. Failure to do that would be a penalty.

Jarrell: If they failed to document it.

Mello: Failed to document what they are doing in the way of medical treatment. And like I say, increasing the skilled nursing hours per day. Alzheimer's is another category. A lot of nursing homes have people with Alzheimer's disease and they are usually in an earlier stage. Once they are in a more advanced stage of Alzheimer's disease a lot of them just don't want to . . . if they have enough clientele they just try to push them out into another category.

Jarrell: It's called dumping.

Mello: Yes, dumping. A lot of people with Alzheimer's disease, they wander around a lot, and they sleep during the daytime so they get up and walk around at night. One of the bills I carried was very controversial. We allowed nursing homes to put a locked perimeter around the outside of the building, so that if people did wander outside of the facility they wouldn't be able to get out because there'd be perimeter fencing.

Jarrell: Because they do wander.

Mello: Oh yes, they wander. I mean I've heard of incidents of where people have never been found. Like right here in Santa Cruz County there were several that wandered away. They were coming from an adult care center to their home; the taxi brought them home and the person never did show up. They went back and checked where the taxi driver dropped them off; they took dogs out and did searches and they never did find them. I know of a gentleman who never has been found. Others have been found; one wandered around for a week and was finally found. Alzheimer's is such a tragic illness. It takes away all of their memory through this dementia. About 80-90 percent of all rules and regulations that are enforced for nursing home reform were bills that I carried on behalf of the senior legislature and other groups.

Jarrell: What kind of opposition did you experience in terms of the nursing home industry? These things have cost impacts.

Mello: The nursing home industry was up in Sacramento and they have a state lobbying group. People who have nursing homes get the legislator from their own district, and they come up and explain that Senator Mello was trying to do this. I never forget, the night before one of my bills was up I was invited to go out and have dinner with some group, which I did, and in the same restaurant there were two or three colleagues of mine, legislators, who were having dinner with people I knew in the nursing home industry, who were up there trying to get my bill defeated. They fought and fought and fought. A lot of times I didn't get the votes and I

had to put the bill over and come back and try to rally more support. They just didn't want to get more rules and regulations placed on them. They'd say to me, "Look Senator, get us the money and we'll do anything you want." I'd say I'm just trying to get what is in the best interest of the patient. For instance, I carried bills on public guardians and conservatorships . . .

It's a struggle. Nothing comes easy. You just have to get in there and document what the needs are. But as time went on the number of senior groups got bigger. We had the Senior Legislature, the Alliance on Aging, the California State Aging Commission, and Food and Nutrition Services. So we developed a hotline type of thing. I remember one time I had a bill up and I knew a couple of senators were not supportive of what I was trying to do. They even talked to me about it. So I went to my consultant, John Delury, and suggested we try out the hotline idea. So he did and we developed a hotline. We got our volunteer groups that we knew were contact groups. We called them and said call these senators from these districts, and get as many phone calls as you can going into them. Tell them how important it is for them to support this bill and give them what the issues are. Of course . . . don't tell them that Senator Mello asked you to call them. That would give away everything. One senator from the Los Angeles, Long Beach area was opposed to it. He was the key vote in there. I ran into him. He said, "Henry, we are pleased to get these people to quit calling. I had to put two people there just to answer the phone for my district. They're calling me about this bill of yours and I just don't care too

much for that bill. I'm going to go ahead and vote for it now if you just call off the dogs . . . call off the callers . . ." I said, "What callers?"

I went back to John Delury and I said, well John, it's working. This senator came in and said he had to have two people just busy on the phones. But that came about after about ten years of building up this networking, and we could make four or five phone calls, and say, look we've got this bill over here next Wednesday and we've got to get people in these districts. Call and give them your address and say I live here right here in your district, and by golly I want you to vote for this bill.

Jarrell: That's the way it works.

Mello: Just a single phone call will sometimes get you 200 phone calls. There're a lot of committed people out there. For causes they believe in boy, they'll just go to work on it. Sometimes you have to use that kind of advocacy in order to be successful.

Conservatorship Legislation

Jarrell: Let's move to the issue of conservatorship and public guardians and what you accomplished legislatively in that area. It's certainly a very controversial area in terms of a person's civil rights, the criteria for somebody being conserved. I'm sure you've heard stories about people who were conserved when they shouldn't have been. What areas were you particularly concerned with?

Mello: Well so many abuses came up from conservatorships and public guardians that I felt something had to be done. I found out the need for conservatorship is very common. It's mainly people with Alzheimer's disease, those who cannot manage their own affairs. [You may think] that the conservator just writes the checks, but that's not all. When they get power of attorney, that designates them for health causes as well. If a person needs a hip socket replacement, or a tooth pulled, sometimes members of the family will say this is going to cost a lot of money, so we will just let it go and there will be more money left in the estate. What I found was that many of the conservators did not even see the indigent, the conservatee. Here they are making decisions about a conservatee's health or medical needs and they haven't met with them.

For a person to become conserved there has to be a petition made to the court. The superior court judge then decides whether or not the person is in desperate need of having someone manage their affairs. They usually appoint somebody who is on the list, a designated guardian or conservator. The way the law was before, they get appointed and then they have the power to make all these decisions. My bill said there has to be a sure cause reason for designating a conservator. Secondly the person must be bonded, and they have to be liable for their decisions. They have to report to the judge in writing. They also have to see the patient.

Jarrell: They have to be accountable and they have to see the conservatee.

Mello: So they changed the whole thing around. I read about the most blatant case in the *Los Angeles Times* about a gentleman in Los Angeles who

had amassed quite a fortune; he had developed some sort of antenna to be used on television sets when they first came out. He became very bewildered and demented and in need of somebody to take care of everything. His wife had died and he had a live-in woman that he became very close with. He had an estate of about 350 million dollars and over a period of time the entire amount of that estate had gone for attorney fees and costs. Finally all he had left was his house. This woman he had been close to got the house in order to protect him being able to live there. She was taking care of him. Then the interest groups went after these attorneys and were able to get some money back in the estate, mainly because of excessive cost and double billing. It seemed unusual that you can dwindle down $350 million dollars over a period of 10-15 years, of a person's estate, with legal costs. I mean the costs are high but that seemed highly excessive.

The other things that we found are lesser estates where the family gets involved in the guardianship or the power of attorney, and divert money to their own pocket. Conservators and guardians have been found to have embezzled and made wrongful diversion of the person's funds. Many family members just convert money into their own bank accounts. I guess family members believe the Alzheimer's patient is not going to know anyway, so rather than have all this money go up in smoke in legal costs, they just go ahead and take advantage of the person. In those situations they have to be appointed by the court. They have to report to the court periodically as set forth by the judge and make sure this accountability is there.

You find many people, their money is gone and then they become a burden on the state or the federal government because of these abuses. Once I saw these statistics and came to the realization of what was happening we tightened the laws on elder abuse. It had to be reported.

Watsonville Senior Center

I carried one senior bill that was for funding at the Watsonville Senior Center, the new one that the city bought there on East Fifth Street. When I got on the Senate floor, Senator [Ken] Maddy said, "Senator Mello, this bill calls for the state putting a hundred and something thousand dollars into a senior center for the city of Watsonville. Is that correct?" I said, "Yes." He said, "Well, what's it going to do for my district?" "Well," I said, "the same concept could be used for any district in the state of California. This is an opportunity to work on a local partnership sharing basis with the city and put together a program. So he finally said, "I give you credit for taking care of your district, but I'm wondering what's this going to do for me?" I said, "Well, do the same thing. If you ever have a need down there you can justify it." He sort of chuckled. But I chuckle myself to think that he made note of the fact that I was doing something for my district. I thought I was righteous in doing it.

Fort Ord Conversion

Jarrell: I have a quote here from Quentin Kopp about the Fort Ord bill, one of the bills that you put forth about Fort Ord and the reconversion.

Quentin Kopp said about Henry Mello that he got more for his constituents than anyone. He meant it as a compliment.

Mello: Yes, that's true. That might have been one of my toughest, most important struggles.

Jarrell: Why was it tough?

Mello: Well it was tough trying to bring it all together. Fort Ord is 28,000 acres. It's as large as the city and county of San Francisco, and it encompassed two cities, Marina and Seaside. They had annexed that area years ago and the state said that's fine, mainly because of the in lieu taxes that the state pays back to cities; it's based on the population. So I even carried a bill for Soledad and Gonzalez to annex the Soledad Prison, the California Correctional institution.

Jarrell: Oh, as part of their population formula.

Mello: Yes. There were six thousand inmates. So they get the maximum from the state. But that was fine, amicable.

When they wanted to close Fort Ord the Department of Defense said okay, to convert this land we just want to deal with a single entity. All of you people who have a part of this have to get together and form a group that will be representative to us. We don't want to come in and referee any differences here. What these two cities felt was why should they delegate to seven or eight cities the police power for Fort Ord when they already had it in both their cities? They got together very quickly, hired lobbyists

and spent a fortune. Seaside spent a million and a half dollars hiring lobbyists trying to defeat my bill. Marina spent about $800,000. The whole thing involved a general plan. These cities thought if they could maintain their ability to do what they wanted within their jurisdiction, as they do right now, then they'd reap the harvest from it because they'd have all these businesses and super shopping centers, whatever they wanted. Both cities felt the same way. I said the Fort Ord conversion had to be looked at regionally because it was such a large jurisdiction; the planning had to take place on a regional basis through the Fort Ord Reuse Authority.

Jarrell: How was that created? By statute?

Mello: Through my bill 799, which included the cities of Marina, Seaside, Monterey, Sand City, Del Rey Oakes, Pacific Grove, and Carmel. Seven cities were part of the reuse authority. These two cities, Marina and Seaside felt they couldn't live with that. Finally the Secretary of Defense, William [J.] Perry, said you have to speak with one voice and you have to come up with a plan. Then we'll turn over the land to that entity that speaks with one voice and has a plan. The two cities were going to file lawsuits and they were threatening everything.

It was a real battle. [Congressman] Sam Farr helped me a lot. Leon Panetta, of course, helped. Previously, Leon was our congressman and then went on to work for the president. Leon helped us a lot on the federal level. Then Sam took his place in Congress. So then we had help from both Leon and Sam. Then State Senator [Bruce] McPherson. I shared with him what we were trying to do. We had a lot of meetings to try to reconcile our

differences. It took a long time. There were a lot of issues. The redevelopment money. How was that going to be split? Then the two universities, UC Santa Cruz and California State University, Monterey Bay, showed an interest in coming in. Then there were the questions of who would take care of the roads? Where're the sewer lines going to be? The sewer and water lines at Fort Ord were planned for military purposes. When you combine two universities, and the two cities everything may not fit. You may want to come in with a whole new plan.

Jarrell: So this 28,000 acres was turned over by the federal government to the Fort Ord Redevelopment Authority, a governmental entity?

Mello: That's right. Established by the legislature.

Jarrell: How is it administered?

Mello: Each of those seven cities has one vote, but Seaside and Marina each have two votes.

Jarrell: Was that a concession that was made to them?

Mello: Yes, because they had two representatives, they had presence on the base. But we didn't want to give them a majority vote because then they'd be over there running things.

So they ended up with four votes. The other groups had I think seven votes. That's the way it was started. They finally got the land converted over. I think Seaside and Marina are going along great. Seaside got the two

golf courses they wanted. They hope to build some visitor serving facilities around the golf course, hotels. Marina wanted the airport and they got UCSC there. They didn't want to give up their existing authority, and they felt the future would be dictated by their surrounding neighbors who they have not always gotten along with.

Jarrell: Those communities were so financially dependent on Fort Ord.

Mello: Right. 28,000 people. At one time there were up to 15,000 soldiers there and about 12,000 civilians. When Fort Ord closed they moved out all the troops and the civilian workforce came down to just about zero.

Jarrell: Many communities all over the country were impacted by base closings. Did you come up with this idea of the authority? Also, has this solution been duplicated in other parts of the country? It seems like a unique solution.

Mello: The answer to that is, no it hasn't been replicated fully or totally elsewhere. Some bases are clear out in an unappropriated area where you are dealing with a single entity, a county, part of a county, so that's a lot easier than our situation here. Secondly, some of these closures resulted in multiple lawsuits. Hamilton Air Base up in Marin County, that thing was dragging along with lawsuits. They took about twenty years to get that thing going, because it too was within several cities.

Who came up with the idea? I talked with the attorneys again. I've had experience in setting up joint authorities. I set up AMBAG. I set up the

Monterey Peninsula Water Management District, Monterey County Resources and Water. I helped set up the Air Quality District when I was on the board of supervisors. Most of them are what they call joint powers agreements. A joint powers agreement is defined very basically as you can join together and do things that you have the legal entitlement to do individually. Whatever you can do as an entity you can do jointly. But a joint powers authority requires each person to contribute to its function somehow. You have to pay enough to run it. Each year everybody who is party to a joint project has to agree to put up money. The Air Quality District has each party assessed a certain amount. But it's not binding. If you don't pay your dues there's no way they can come in and make you pay for it. Then it breaks up the district. Well I didn't want to get started on Fort Ord because these two cities could have just . . .

Jarrell: Sabotaged the whole thing?

Mello: Yes. So I wanted to form an entity, I used the word entity, that will have a long life, a life of twenty years—the Fort Ord Re-Use Authority. After that it will be terminated and the powers will go back to the people holding whatever titles they have in each respective area. The authority is binding. It's an entity like a city or county, but it's holding authority. It's not renewable each year like a joint powers agreement. There's a way for them to drop out if they want but then they lose their voting rights; they lose everything.

So that's how we put it together. It had a lot of teeth in it and it has a longevity of twenty years. I figure if they can't put this plan together in

twenty years then they should go out of business anyway. But we wanted to make sure that Fort Ord in twenty years will have a fairly good design of what it's going to do, and make good progress. They're going to have an intermobile transportation system headquartered right there in Fort Ord which will include trains, buses, car rentals, which would go from there and spread out to the Monterey Peninsula, Salinas. That's on the drawing board right now. Then also they have the two universities.

Another bill I carried coterminous with this was six miles of frontage between Highway One and the ocean; I carried a bill that was signed and it says all that land will be acquired by the California State Park System. My thought there was, I don't want to see a bunch of Miami Beach highrises along Highway One blocking the view of the ocean, denying public access to the ocean. Sam Farr was in the Assembly then and he said, "Henry, that bill they got for that coastal land. That's neat. Who gave you that idea?" I said, "Henry Mello gave me that idea." Driving back and forth there I just figured I didn't want to see that land fall into the hands of some developers. That land is worth millions of dollars. You could build a bunch of hotels and condos along there. You can still view the ocean if you get onto the other side of the road, if you get onto the land side of the road from Highway One . . . that's out of the coastal zone and you could do a lot of things. Hopefully you wouldn't ruin the interface with the ocean. There're six miles of land there.

Jarrell: So that's part of the State Parks Department now?

Mello: They've got part of it, but they're in the process of getting full access. The government is waiting until State Parks comes up with a plan and then it will be transferred over.

The other thing was the clean-up. By federal law you cannot transfer this land that has toxic and hazardous materials still on it. It has to be cleaned up. Even though now if you look you'll see people working there. The sand has to be taken out and filtered, all of the contaminants taken out of it. When that's done and when this federal bill can certify that it's clean at least to Environmental Protection Act standards, then it can be transferred, along with the other 1300 acres in that coastal section there.

The rest of the 27,000 is on the inland side and there's a lot of hazardous material there, too. Those bills were tough because we had all these opposing sides and they hired lobbyists. Seaside has a heavy African-American population and they were making a statement that this would be discriminating against African-Americans by not letting them manage their own resources. I said boy, that's the furthest from the truth because I don't have a single incident of discriminating against any ethnic group. They tried hard to get opposition to the bill in Sacramento but we were able to get it done.

Jarrell: It's a fascinating story. It's a huge swath of land in this area.

Mello: Oh big land. Fort Ord is a planner's dream because you go out there where there is nothing, and you say okay, now we are going to build a city

right here. How would you do it? Would you have residential here and industrial here and have people drive back and forth.

Jarrell: What model would you use?

Mello: I saw a plan that uses an octagon model . . . you had the town center in a large area, and then you had all the roads coming in from the outside, and then a perimeter road around the outside, and freeways crossing back and forth. You try to create residential opportunities where the jobs are, rather than having to drive twenty miles from the residential area, to an industrial or commercial area.

Jarrell: You could completely change the whole relationship with the automobile.

Mello: You could have neighborhood parks and neighborhood shopping. But you can only do that where you have a pristine area to start out with. If you try to rebuild an existing city the costs . . . and there's already a commitment to how your city is going to look and act and operate.

Jarrell: So it's a real opportunity with this authority that's created by statute. In twenty years these different cities and this entity with all of these representatives have the opportunity to conceptualize and build something, make something there that is rational, that's not haphazard and just catch-as-catch-can. Not sprawl.

Mello: Oh yes. There are some good plans. They've accomplished their general plan and now they are implementing it. The Fort Ord Regional

Authority [FORA] does the plan. They will do the general plan for the whole area and once it's adopted, FORA's not going to be a planning agency. They just adopt the plan. Then the entities have the responsibility for following the plan. Any changes to it have to go back to FORA again. That's the kind of relationship we put in there.

Jarrell: Are the representatives on FORA from all of these different cities politicians or city council people?

Mello: They are elected.

Jarrell: They're elected by whom?

Mello: By the people. They usually are mayors or members of the city council. I forgot to mention that the counties have representation as well. Monterey County has I think two votes also. You have a county and two cities that have a presence on the base itself. You have the outlying areas. Del Rey Oakes does have part of Fort Ord, a very small part. So does the city of Monterey. I think it's working out okay. In fact, Michael A. Houlemard Jr., from UCSC, is the executive officer now of FORA. Lora Lee Martin is working at the University. It's worked out quite nicely. Marine sciences are being studied there, and all kinds of demonstration projects, and agriculture.

Jarrell: I read about that organic agricultural program.

The Annual Legislative Crescendo

Jarrell: Please describe your daily schedule in Sacramento.

Mello: In the Senate there's no such thing as a typical day. When we start up there in January there're hardly any bills getting introduced, there're no committees meeting, and there's just nothing for us to do.

Jarrell: So a rhythm has to sort of build up?

Mello: It's a crescendo. Then you start running into the deadlines.You set up the deadlines and are working on the project at the same time so when you get into April, May, and June it's time to move bills, have bills heard, get the budget ready to pass. You have to get all the bills out before a certain date and then move to the assembly, and vice-versa.

Jarrell: We can start with the opening of the legislature and you can give me a sense of the build-up of the crescendo. That's a great way to put it.

Mello: What I've always advocated is instead of racing against the clock all the time, it would be a lot better to introduce a bill and just say it must be heard within thirty days after the first thirty-day period. You don't have the deadlines other than when you get into July or August. Right now we end up with 150 bills in one day, which you usually can't give any proper attention to.

Jarrell: Walk me through what your life was like as a senator, when you were Majority Leader, and you served on numerous committees and

subcommittees. Let's start with the calendar when the legislative session starts. Tell me what the activity is like, what you go through?

Mello: There are several elements. Some are seasonal and some aren't. One we covered the other day, and I'll repeat that. The introduction of bills has a tight timetable. You have to have the idea into the legislative counsel by the third week in January, at the beginning of that calendar year. After thirty days you can introduce the bill, and thirty days later you can hear the bill. So during that period the legislative function starts off merely in the drafting stage. You get bills introduced, wait for the time periods to occur, then send them before committees and try to move them through. So the crescendo starts slowly and then picks up.

The second part is the budget. The budget committee holds hearings continuously starting in January, when the governor presents his plan to the legislature. We take that, analyzed by the legislative analyst. Then the budget committee starts holding hearings on it. We find out what the governor's requests are, and then we try to put our own ideas in also, and items that are needed in each member's district. So that starts kind of slow and then moves up to a frightening peak around the 15th of June, where you start meeting the constitutional deadlines. July 1 is the beginning of the new year. Most often we don't have a budget approved by then. That sets up a chaotic situation when the state is operating without the authority to pay its bills, or even sometimes without the authority to enforce certain laws. So that's the budget process.

The other dimension is the day-to-day constituent response from the districts, and from statewide groups. Those are not part of the crescendo. They usually start in January when the new year begins and everybody says well we've got to get stuff ready for this year. You get phone calls; you get mail; you get groups of individuals and organizations contacting you about legislation.

The University of California has its own process which is a little different. Each of the campuses puts forth its budget needs to the Office of the President, and then their staff looks it over and they either approve or reject the requests being made. So that happens with different organizations. They come to us to help support their requests before the budget committee. For instance, an individual UC campus comes and asks for something that was turned down by the president's office. That's a ticklish situation because you do an end-run on them, and UC's Office of the President doesn't like the individual campuses to do an end-run on them, because they are the ones who have to go before the legislature and make the request for the entire nine campuses. To try to go around the president's office doesn't set up a good working relationship between the campuses and the president's office. They like them to live within the budget process and the goals set forth by the campus. But there have been times when a campus has come to me and said, well the president's office didn't approve this but we really need this so we're coming to you to try to get us some help.

I always say well you don't want to do an end run without telling them. I say go back to them and tell them what you're going to do. Say you really need it. See what they say. Sometimes if they see that the campus is going to go to that extreme, in other words go to the local legislators, they don't want to be reversed either, but at least that starts the dialogue. Sometimes it gets resolved before we have to make a formal pitch for it and sometimes it doesn't.

Jarrell: Is this fairly rare?

Mello: It's pretty rare. Different departments within the campus have needs. Sometimes the chancellor and their staff say no, we can't support that. We can't justify that to the president's office. Usually that's set aside right at the beginning. But sometimes if they feel this is something that they really have to have, they have to go all out for it, and in that role I try to get them to communicate with the president's office rather than set up a strained relationship that will end up costing them somewhere down the line, because they have more authority on the Berkeley level than on the individual campus level. If you do win something they might take something else away from you.

Throughout the whole year we're dealing with constituent responses from the district and from different organizations. That stays fairly level, but it peaks during certain times. It peaks during the budget time. It peaks during deadlines, or when bills are up in the air and people find out about them and they call and write in and ask us to either support or oppose certain legislation. I have an activity report from each district office and my

central office showing how many people phoned, how many letters we wrote, how many letters we received. We don't call it junk mail. We just call it stuff that requires a response. We get up to 85,000 letters in one year, almost 2000 letters a week. I have a ten-day turn-around rule in each office.

Jarrell: A response time?

Mello: Yes. Because people will see me someplace and say did you get the letter I wrote you last week? Well in a week you get almost 2000 letters. I, of course, don't see them all. I see those that my staff send to me that require a special response from me. If there's a bill up and we're going to have a position on it, then they'll just use that position to respond. I demand that every letter we get is responded to in ten days. We say we got your letter and we're working on it and we expect in two weeks we'll have a reply for you. That way they know we've got it and we're working on it. We got close to 45,000 phone calls a year. If you break that down it's about 200 a day.

Jarrell: That's incredible volume.

Mello: Yes, it's a really big volume. Every phone call requires getting the person's name, address, what their concerns are. So we have another form for that. Sometimes I think I've just been too form-crazy, but I've eliminated those that I thought were not useful.

Jarrell: In your archives do you have logs of constituent phone calls and letters?

Mello: Yes, letters received and letters we've answered. Our main function is the constituent part of the whole program. It's heavy. The reason I keep it is I want to make sure I know I have a sampling of what's taken place, what the issues are. Number two, people wouldn't be wasting the staff writing these if they thought that I wouldn't reply to it, and wouldn't take it into consideration. A lot of them say well, why write? They're not going pay attention to us. But I think I developed an identity that says no, Senator Mello will respond. He will tell us the status and give us his position, if I have one. So that's why I sample all of that, to make sure I know what's going on. We have about 10,000 walk-ins, person visitors that come in all the different offices, over 40 people a day.

Jarrell: Would you say that other senate districts have comparable volume?

Mello: Well I don't know and they don't know. The reason I say they don't know . . . very few members, well I know one former senator who was in my district before me never responded to a single letter or phone call, unless it was one of his golfing buddies or some good friend or something like that.

Jarrell: So you kept very precise statistics on all of this. You're saying that that is not the norm.

Mello: No. I had around 800,000 people in my senate district.

Jarrell: I'm looking at *Who's Who in the California Legislature, 1995-96* on voter registration. The total number of voters in your district was 389,882. Of course we know that a lot of people don't vote.

Mello: Well there're a lot of people who aren't eligible to vote, such as people under 18.

Jarrell: So you are representing twice as many people as voters.

Mello: A little over twice, yes. You have the non-registered and you have the non-eligible, people who are not citizens. In California right now they figure there're two million undocumented persons. That doesn't mean they are all here illegally. Some are here on a green card. Some are here with some other visa, a student visa or a business visa. But they are not eligible to vote while they are here. The census is being planned for the year 2000. Last time the big argument was about undercounting people in California because you get reimbursed by the federal government based on your population, so when you undercount you lose a lot of money. It's not fair because by counting everybody you can reallocate the benefits based on population, what their income is, their ethnic background.

Jarrell: So anyway constituent services for you are the heart of the matter.

Mello: The fact is you are sent up there through the people in your own district, these 380,000 voters out of 800,000 people. If they, for some reason, figure you're not doing the job, you're not representing them, you're out. That's why I opposed term limits. I ran 14 times and have never been

defeated, but the voters have a chance to defeat me anytime they want. Just vote me out of office. They didn't because they felt maybe I was doing something right. Sometimes I had a hard time convincing my staff in Sacramento that that was my first priority. Most of them had worked in the capitol before and they said that is where the action is, with the budget, the bills. I said no, the action is down in the district; if you don't do your job in the district you won't be able to do anything in Sacramento. My priority is for the district, 100 percent.

A typical day also includes people just walking in. We have school tours. A lot of schools send a whole class or two to Sacramento for a day. We set up a tour of the capital and a personal meeting with them. We get a larger room and I go and give them a little pitch. I used to take a handout. How a bill becomes law, the different phases, how the governor has a chance to veto it, how you can override the veto, and then let them ask me questions. They ask all kinds of questions and I respond to them for about 35-40 minutes. Then they go on the tour and see committees in action. It's a day well spent.

Then you get people just up there for the day in the summertime. They are going to Lake Tahoe or someplace, and they're going through and they say, let's stop at the capitol! So they stop there and they say let's go see Henry. My secretary will call me and say well so and so is here from the district. I say okay. That's a priority. Even if I have a meeting going on I'll try to just let the meeting continue on with my staff and I'll go out and meet and talk with them briefly. Mary Alice Moor, who was my executive secretary,

would have a packet that we had all pre-packaged for visitors in a big manila folder. They had all the things about the State of California, how a bill becomes law and different information in there.

You have lobbyists who come in, people representing certain groups that want to talk to the legislator about a bill coming up. I always try to visit with them myself. It's amazing how I speak with people who say, well we went up to meet with so-and-so and we met with their staff or we met with their consultant. A lot of members just won't take the time to meet with their constituents, which I think is a real big mistake on their part.

Then you have organizations that have receptions up there, for the legislature, state employees, Department of Corrections and different business groups, chambers of commerce. They will come up and either invite you to a luncheon meeting, or a reception in the evening. Some evenings you have about five events to go to. I go when there's somebody there from the district. If it's a Bakersfield Chamber of Commerce group and they invite me . . . I'm just using them as an example . . . I don't go because there's no one there from my district. But a lot of education groups come up and I always find out who's going to be there from the district. Usually they write me, somebody from the district will say I'm going to be in Sacramento with the PTA group, and we'd like to meet with you. We go ahead and set it up.

On a typical day we meet with two or three different organizations. Often there are several visiting groups that come in without an appointment. Appointments aren't needed, but for their own benefit they're better off if

they let us know they're coming and we can make proper arrangements for them.

Jarrell: Tell me how you've been lobbied by different groups, such as big players in the nursing home industry. Would they lobby you personally?

Mello: Yes. Some would come in with some of their constituents, their lobbyists. The public perception of a lobbyist is very negative. In fact many years ago when Artie Samish and others were lobbyists they bragged about how they owned the legislature. Well that has all changed. Lobbyists, a great percentage of them, are really an experts in their fields.

Often cities, counties, special districts, lobby, but they can't contribute any money by law. But a lot of energy comes from such groups. The other side of the story is the tobacco companies that spend thousands of dollars trying to influence legislation that's good for them. Liquor people, real estate . . . medical people and lawyers, they put out a lot of money.

There's no such thing as a typical eight-hour day. But bear in mind that when the budget crisis is on, and you're involved with the budget, you're also involved with deadlines on bills, but the constituent responses are still ongoing too. So that makes your days quite hectic. When you have a busy day on budget or tracking, we have caucuses, meetings. When you are in negotiations on the budget sometimes the president pro tem in the Senate calls a caucus, sometimes twice a day. He'd explain the progress we were making. He has to know that his caucus is backing him on anything in the budget, so each member gets a chance to express his views.

Jarrell: How much authority does the president pro tem have in influencing the members of the caucus to vote a certain way?

Mello: He has a lot of influence but most members are just voting their own independent way. The president pro tem, along with the Rules Committee, appoint the chairs of committees and appoints them to committees and select committees. Everyone is looking to get on a good committee.

Jarrell: So there will be paybacks if caucus members are too recalcitrant, too insubordinate?

Mello: No, I haven't noticed that. Some of them get up there and raise holy heck. You say to yourself, that person is risking his chances of being chosen for good committees. But the pro tems I worked with have great respect for the process and I think if you do that then other members lose respect. They figure I'm not going to be able to speak my mind. I've seen a time when he would say well this is what I think we ought to do and this is where we are. Someone would say, well why are we doing that? We ought to do this. The chorus would start. That would turn him around, right in our caucus, by having everyone speak up. But there're some who just want to be opposing something. Well they probably believe strongly in it themselves. But the point is, where the real issue comes up, if you don't vote for the leadership position, then you risk a lot. Like when we were selecting the president pro tem in the Senate, if you're not on the winning side there, if you're strongly on the losing side, then my guess is that you're going to have some losses in your wish list of things you want to do.

I already told you about Jesse Unruh, the 79-1 vote he had. He was still unhappy that that one person had the gall to get up and oppose him!

In the past the leadership would force the caucus into a caucus position, which means that if you had 23 members, and had twelve members on one side of the issue and the other 11 were opposing it, the caucus position would bind all 23 members. But I would not want to have my views taken away from me because I was in a minority position as far as the argument was concerned, even though it could be a very slim minority. So therefore, we just rejected the use of what was done previously many times. Even in the Congress they used to take a caucus position. You'd bind the whole caucus with the majority vote. When you get 12 out of 23, when 12 members support a person for the president pro tem, and he's got a majority of his caucus backing him, then the other parties usually go along with that. But sometimes you can put together a coalition, like Willie [L.] Brown did. He made a deal with Carol Hallett, the Republican Minority leader and that's how he defeated Howard Burns. He went in with no Democratic support. He just had a few votes. He needed to deal with the Republicans. After about two or three months all the promises he made to them went out the window, but he was already in control so he stayed in control for a long time. But on policy issues every district has a different constituency and you really have to vote your district. As Tip [Thomas P.] O'Neill said, "All politics is local." That's really true. What are you going to do for your own district? How will this affect the district? That's a proper position to take.

Relations with California's Congressional Delegation

Jarrell: What kind of relationships did you have with members of the California congressional delegation? What kind of liaison did you have concerning federal policy issues that might impact the state in a negative or positive way?

Mello: I had a terrific relationship with Congressman Leon Panetta, who got elected the same year I did in 1976. We worked very closely together until he left to become the director of the budget in 1993 for President Clinton. Then he became the president's chief of staff and Congressman Farr took his place. I had worked with him in the assembly and when he was a county supervisor, so we worked together very well.

Now how do we expand that into the delegation? Every year we went back to Washington. We'd have what we called a California legislative trip to Washington and we'd talk back there about California's needs. We'd always have a breakfast with the California delegation.

Jarrell: Who would be in that delegation from the senate and the assembly?

Mello: Both houses selected members. We didn't send the whole group back there. I think we had as many as 14 senators who would go, and about 15 or 20 assemblymen, because they had 80 and we had 40. So we'd have about 30 people back there, including the leaders of both houses. I went almost every time. It was very informative. We'd meet with them; we'd have printed, well-done booklets that the two houses and our staffs

[prepared] documenting how proposed federal legislation would affect California.

Jarrell: So we could look at you as a lobbying group, that delegation that went back to the Congress?

Mello: Well we would lobby and let them know the state's needs. We'd get feedback. Like on the Fort Ord closure, that was important when it came up and Ronald [V.] Dellums happened to be the chair of the house Armed Services Committee. We explained that the closure of Fort Ord would be devastating to this whole area. But the Congress as a whole and the Senate felt they had to start closing these military bases because they cost too much money. Fort Ord being one of the biggest . . . on the second go-round it made the cut. Once we knew Fort Ord was gone we went back and lobbied for help in trying to make the transition. So we've received some federal funding for the whole transition plan. But you can't just isolate yourself and think of California. Even though we're the sixth largest economy in the whole world we're still one state out of fifty.

The 1989 Loma Prieta Earthquake

After the earthquake in 1989, I went back to Washington with a very small group; about six of us went back, people who had experienced the greatest amount of impact. The epicenter was right here at Nisene Marks Park. We had devastation here as well as in San Mateo and Santa Clara.

Jarrell: Who were the members in that group?

Mello: Minority Leader Senator Bill Campbell went. He had real good contacts back there. We met with Jack Kemp. We met with people in the Bush Administration. We had a White House visit. We met with some top people to try to articulate our needs. The president and the administrators were very sympathetic but there were some from other states who weren't. I thought, how could they oppose an act of God like an earthquake? But they said, California? Coming here for aid? Coming here and asking for help? The vote was very close, and in fact they cut back the allocation that we needed, but we got quite a bit. But it took time. At that point FEMA, the Federal Emergency Management Agency, acted more like a lending agency, finding a hundred ways to turn down your loan that you are wanting or your grant. It really wasn't until the current administration under President Clinton, where he appointed James Lee Witt, a most wonderful, qualified director of FEMA. You could see him on TV. No matter what the disaster is, he's there within hours. He'd been in the flooding in the East, hurricanes and tornadoes, earthquakes in California, fires, and down to Florida when they had that devastating fire recently. There was so much criticism from Congress about how FEMA was not responding to the law, making money available.

Jarrell: What were you and your colleagues asking for California after the Loma Prieta earthquake?

Mello: You have to understand how FEMA operates and what the law is. The law operates once a disaster area has been declared, first by the local board of supervisors, then by the governor of the state, then by the

president. That makes you eligible for federal disaster funds, which come out of about fifteen different agencies. There's the SBA, the Small Business Administration; the Veteran's Administration; HUD; FEMA. They cover public facilities. Under the law they will replace public facilities. Private and business loans are made by the Small Business Administration and HUD based on the amount of damage you have and the value, and your ability to repay it. That's very important. But they have two categories. If your income is below a certain amount then you pay 4% interest; if your income is over that threshold then you are still eligible for 8%. In Watsonville there were hundreds of homes destroyed, older homes. Some were older seniors living on social security. When they worked out their budgets, their social security income wasn't enough to pick up the extra payment they were going to have to make for relocating their home.

Jarrell: So what would happen?

Mello: They got turned down. So we had to help them out in another way. Then there is another federal agency that can make grants to low-income people which don't have to be paid back. In Watsonville, I know this family . . . the agency said they could make a grant of $24,000. So then they said well if they can make it a grant, then our loan can be cut down by $24,000, so we can make a smaller loan and therefore that social security recipient would be eligible with a smaller loan. Other times they would have a family member with a job co-sign the note and that all got put together. But sometimes they had a nice home that just slipped off the

foundation and it would cost maybe $30,000 to fix it. So they had to use a combination of ways to do it.

But going back there was very helpful. We made our point. We told our delegation how devastating the earthquake was. Then a few years later there was the Northridge Earthquake. That didn't affect us up here but that brought in a whole new group of people who suffered through another earthquake, which was devastating, in fact greater than what Loma Prieta was in total dollars. So that's made believers out of a lot of people who thought this can't happen to us. We live on the San Andreas fault.

Jarrell: But every geographic locale in the country has special disaster possibilities.

Mello: There've been a lot of them. Well if you go down in Orange County, Laguna Niguel, they just had that fire . . . also in Malibu, Topanga Canyon, that came down and burned a lot of homes out. We can't prepare for an earthquake. We have somewhat by increasing the building code structurally so we have safer buildings. But you are dealing with a lot of older buildings that were built 70 or 80 years ago and they have chimneys and brick buildings that are not reinforced. They just crumble.

Jarrell: What about the issue in the California legislature about earthquake insurance for California homeowners? That seems to have been a complete failure. Were you involved in that?

Mello: Yes, I voted against the bill because it was totally inadequate because of the large deductible. Not on the loss but on the amount of the policy. In other words if you had a $50,000 loss on a $400,000 policy, the 15% deductible would come on the policy, so 15% of $400,000 would be $60,000. You had a $50,000 loss and you haven't reached the deductible, so you don't get anything. Yet $50,000 is an awful lot of money to have to pay out. If your living expenses are low, your personal belongings were only $5000, you can look around your house and see a lot of furniture that could be old but to replace it is going to cost a lot of money. So they came up with a rate that high. I went through Loma Prieta with quite a loss without insurance. So out of my pocket I had to go ahead and fix everything up. The earthquake was on October 17 at 5:04 p.m., 1989. My wife and I went down to our insurance agent in December, bought ourselves earthquake insurance, and said to each other, this is our Christmas present. Because we had such a big loss and it could happen again. So since then, we now have earthquake coverage. And boy it's high, but we have a nice home . . . or even if you don't have a nice home. Your home is your home and it's your castle and when a catastrophe comes along it can just be devastating.

Jarrell: Do you think that the California Legislature is going to be interested in coming up with a more equitable bill that will be fair, have lower deductibles, and be more affordable for average California homeowners?

Mello: Well I think they have to. I don't know whether they can do it in California alone. We have to come up with federal disaster insurance on a

national level, which would spread the risk. If you want to protect everyone you do it from a federal point of view.

The Role of Lobbyists in the Legislative Process

Jarrell: Please talk about the role of lobbyists in the legislative process.

Mello: This book is the 1997-98 directory of lobbyists, lobbying firms and lobbyist employers. There're three categories of lobbyists. Some are contractors of a firm and they have clients. Others are firms that hire lobbyists on a fee basis. Lobbyist employers are those that hire them as employees. We're talking about the influence that lobbyists have on the legislature, and there're about 1150 lobbyists in this directory.

Jarrell: For comparison, there are only 120 legislators.

Mello: You have about a 10:1 ratio. They are there representing different special . . . the first category is agriculture and . . . let's see by pages they have a page and a half of lobbyists and they represent the whole diversity of agriculture—the Avocado Commission, the Wine Grape Growers, Nurserymen and Flowers and eggs and so forth. So everyone is represented in one way or another. How many contribute to campaigns? Maybe a third of them. The statewide groups set up political action committees. Education is another group and that's got four and a half pages, including all the school districts. They are allowed by law to hire a legislative advocate, a lobbyist, to help them with legislation. But they do not make any contributions because they are funded by the public through taxes.

To be registered you have to be paid $500 or more for lobbying purposes. If somebody is paying you $500 to be an advocate, then you have to be registered and you're called a lobbyist. If you're lobbying pro bono you can do that without registering because you're not being paid for it, or if you're going up representing yourself or your own business. I think the real issue is, does the legislator shut the door on those who don't contribute, or do they open the door wider on those that do? I'd say it's all the same. I've met a lot with the American Cancer Society, with Planned Parenthood and all those groups. Anybody who wanted to meet with me, we set up an appointment.

Jarrell: This book is a cornucopia of every sector in the economy and the nonprofit sector. In terms of your senatorial district, we have agriculture, tourism, a large senior population, the University of California, Cabrillo College. Your district covers four counties. The Farm Bureau would be advocating positions.

Mello: Yes. I'd be in contact with them almost weekly on different bills. One thing about the Farm Bureau, they support more Republicans than Democrats, generally. They rate you at the end of the year. If you're not close to a 100% they're not really a strong supporter. They supported me in the past, but sort of moderately, because I support working people as well, and I support benefits for workers. I represent a lot of agriculture so I was always open to discussing things with them.

This book has nearly 600 pages of registered lobbyists working in different categories. I was meeting with some of the frozen food people in

Watsonville, which is known as the frozen food capital of the world. It's a business that I've been in myself, cold storage and frozen foods. They'd call me up and say there's this workers comp[ensation] bill . . . so I took my lobbying book along. I said there were six hundred bills last year. I did a computer printout, there were six hundred bills that affected the frozen food industry, because they affect OSHA worker safety. They affect the time and hours and overtime, building codes, product safety. I said here's this book, show me where you are represented here. I gave a copy of this book to one of my friends in the frozen food business and . . . they said well what have we got you up there for? I said, it's true I'm up there to represent you but I can't possibly cover all the bases. Like when a bill is up in the Assembly I can't go over there and lobby for it or against it. Why do all these firms have somebody up there? Because there's a real need for it. So they finally informed me there is a firm called the California Canners League. Of course canning has gone sort of out the window, so what has happened, is they call it the California League of Food Processors, they represent frozen and canned.

8000 bills are introduced each year of which 1500 to 2000 get signed into law. What I always say to groups is government is not a spectator sport. You just don't sit on the sidelines and watch the game being played on the playing field. You have to put on a helmet and get in there and become a player, become an active participant in the process. Voting is almost a given. Everyone should vote without a question. But once you've voted, you also should be alert and see what's going on, so you can be represented and have your point of view advocated. You don't need

money. All you have to do is become a force, become part of an organization, or go individually and go get your voice heard.

Jarrell: You'd get phone calls, letters, and emails on a certain controversial issue. How did you track all this?

Mello: Let me tell you how we do that. One time we got 8000 letters on a bill that was coming up on trying to save the anchovies. So we just rallied all the forces. I got them to send letters to all the people on the committee because I wanted to stop the taking of these anchovies for chicken feed. They would grind them up and dehydrate them and feed them to chickens. They are far more valuable to use as a forage fish out in the bay that helps sustain the whole fisheries resources. People just got up their courage and sent in a lot of letters, at my request. I always tell people write letters on a plain piece of paper, in ink, so they don't look like form letters.

For example, the mobile home residents group that I worked very closely with . . . they would get a form letter and would just sign their names to it and send it in. If you get two or three hundred of those . . . you knew that that was not an original thought of the people who sent it in. They were programmed and told to do this by their agency. It's easy to send two or three hundred letters in, or 2000 letters. All you have to do is get out there, explain it, get enough people to send it in, and tell them what to put in the letter. But you can tell if they are set up by somebody. The bottom line is usually pretty much the same, the thoughts. It's okay that a lot of people wrote but they are writing on behalf of, or at the urging of somebody else.

Individual letters that really are original, you can tell it's not a mass mailing; it's done at their own behest, and that means a lot more.

I represented close to 800,000 people. You get 200 letters on one side. If you get 200 letters on the other side that would be pretty much a split. But if you get only ten letters on the other side of the position . . . I don't necessarily say well I got 200 letters for and 10 against, so I'm going to vote for the way of the 200 letters. The 200 letters might have been programmed. You have to look through the whole issue and make sure that your vote is really in the public interest, and not be swayed by a lot of phone calls and letters. We've had our office bombarded by phone calls. But you can detect when it's done at the urging of somebody. I don't know of any member that really counts the letters and phone calls, weighs them and votes that way, necessarily, because you have to consider how it was programmed in.

Mello: A lot of times I get three letters for a bill. Especially if it's an inconsequential bill that doesn't look like it affects anybody, but three or four people wrote in. I say that's good enough for me. I go ahead and try to represent that point of view, if I feel comfortable with it. The bottom line is however I vote, it is published in the history of the legislature. It's in the record of how I voted on every single bill and committee . . .

I think the lobbying system overall has a more positive effect than negative. The positive effect is registered lobbyists have become experts in their fields. The legislator can't possibly have a knowledge of everything. The other thing is we put a value on their credibility and their truthfulness.

Sometimes they want a vote so bad they will mislead you on a position. Once that's done their credibility goes downhill, and it takes a long time to get it back. So we use them as a resource to find out about the details of an issue.

Now the only thing on the negative side is the obscene amount of money that is put in by political contributions. The various interest groups spend about 90 to 100 million dollars a year paying people to advocate for them in Sacramento. That's just money for lobbying. In addition to that there's another 25 or 30 million that goes into political contribution categories.

Jarrell: So this is sort of a quasi-institution, an informal institution.

Mello: They call it the third house.

Jarrell: 100 million dollars a year goes to pay for this infrastructure, the salaries, the offices, the whole thing. Then somewhere in the neighborhood of 30 million in terms of contributions. Tell me what you mean by an obscene amount of money?

Campaign Finance Reform

Mello: This is why we need campaign reform. It's being talked about in Washington and Sacramento. Congress has put some limits on contributions. Voters have put some limits in California but the initiatives were drafted in such a way that they got overturned by the courts. I think it's obscene when a very wealthy person, let's take Al Checchi as an example, could spend 45 million dollars to try to buy an election in

California. There may be people who have as good as or even better qualifications and experience, but don't have the money. They can't get their message out to the voters.

But the U.S. Supreme Court has said that political contributions are a First Amendment right, it's freedom of speech. Well I agree with the concept of freedom of speech but I think, how much freedom are you entitled to monetarily? I think they should limit the spending and limit the amount of income. If a candidate spends a million dollars of their own money, then public financing ought to be able to provide a million dollars to go to a candidate that doesn't have the money, to sort of tip the scales. I think the answer is to limit the amount you can contribute to a campaign, and limit the amount you can spend on a campaign.

Jarrell: But do you think this suggestion of yours can ever get beyond the U.S. Supreme Court Buckley v. Valeo decision?[5]

Mello: There have been several cases.

Jarrell: So your idea is we could limit the amount that a person could contribute and limit the amount that a candidate could spend?

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[5]The U.S. Supreme Court's decision in Buckley v. Valeo upheld the Federal Election Campaign Act's limits on individual, PAC, and party contributions but threw out restrictions on spending one's own money and on independent expenditures on the grounds that such limits infringed First Amendment rights of free speech.

Mello: You have to have both; you have to limit the expenditures and limit the revenue. What they do on a federal level, you mark a box on your income tax return and that provides so much money to go into public campaign finance. So they do pay right now for the presidential campaign. I think they get about 60 million dollars. Each party gets that amount. I wish we could move towards that.

The other obscene thing is soft money. That's when the money doesn't go directly to the candidate, but is spent on behalf of the candidate by the political parties. Federal election law has a limit of $1000 to a federal candidate from an individual, $5000 from a political action committee, and zero from corporations. Corporations can spend on federal campaigns. In California, corporations can contribute. Right now with these campaign finance initiatives being defeated there's no limit. Anybody can put five or ten million dollars into a campaign.

Now the same thing ought to apply to the initiative process in California. We've had initiative campaigns where people have spent as much as $70 million dollars. About 80% of the candidates who spend the most amount of money in their campaigns win. The other 20% have been outspent, but they've still won. I've been outspent three times in my elections but I've still won. It's tough to do. What's surprising with Al Checchi, is if you can spend a lot of money on a candidate or a product, like Proctor & Gamble or MacDonald's or Budweiser . . . they spend millions of dollars advertising, and that repetition and penetration really influence people. It builds up name recognition. You always vote for somebody you know rather than

somebody you don't know. But in Al Checchi's case, he spent so much money, and spent a lot of it negatively, that the perception was that he was trying to buy the governorship and he miscued on a lot of issues. I thought that his spending that much money would overpower all the opposition. But it didn't happen that way. Jane Harlan spent quite a bit, about $20 million, and Gray Davis spent about 6 or 7 million. When I talk about the obscenity in our current campaign financing, I think, it could be reformed if they only realized how the process works and what a return they would get on their investment if they themselves allowed public financing, a small amount. Just think what that would do to government. I think it would make a big difference.

Jarrell: In what way?

Mello: I think people would be more independent in voting. The legislator wouldn't be fearful when a tough vote came up. You are always mindful that the losing side might want retribution because they can put a couple hundred thousand dollars in a campaign against you. Powerful groups have gone and defeated a candidate with a lot of money.

Jarrell: How much do you think that campaign contributions have affected the political consciousness of the electorate in getting term limits passed? Is there a relationship?

Mello: Several legislators went to prison, unfortunately, for their own misdeeds. I think people bought the argument that term limits bring in new blood. They show somebody who's been there for 40 years and they

say that's a professional career politician. Wouldn't it be better if we had new ideas coming in? That was something that people bought into. They didn't realize that a lot of times people who have been there 20 years have gained a lot of interest and expertise in certain areas. For instance, I've worked on behalf of the mentally ill a lot. It takes quite a while to learn all the intricacies of mental illness and developmental disabilities issues. It's such a complicated area. One would really have to learn a lot about it, deal directly with the parents of the mentally ill, and the institutions, what the funding needs are, how the rehabilitation process works.

Jarrell: I'll read you the lead of a *Santa Cruz Sentinel* article, November 17, 1996: "Henry J. Mello, Senate Majority Leader, Watsonville native son, the great graying grizzly bear of California politics is winding down his thirty-year political career." My sense is that you'd never tried to change yourself to appeal to the voters, in the sense of the exterior, the facade, that's not your style.

Mello: Well I have tried to lose weight . . . but I didn't do that only during election year. Even though I'm going to Weight Watchers now it's just been something that I have to work with all my life. Obesity is a real factor and it's a health issue. But it's really a tough one to overcome. I wondered if voters were going to vote for an obese person over somebody's that slender. But I believe what you see is what you get.

Jarrell: I think of that as your political style.

Mello: Yes, but you have to be able to have somebody see so they know what they're getting.

Political Campaigns and the Media

I've often thought, how well would Abraham Lincoln do in today's political arena if he went on TV and talked? Could he get on TV? Just an example. What happens, you get somebody sharp-looking, younger . . .

Jarrell: Telegenic?

Mello: Yes, telegenic. You can merchandise them. This is what's happening in political campaigns. When they are trying to recruit a person to run for an office what they look for is somebody who does well on TV. A lot of voters don't penetrate a person's true standing, what they stand for and what they will do while they are in office.

In 1960 when I was running President Kennedy's campaign in the county, women, especially, would say I'm going to vote for Senator Kennedy. He's such a good-looking, charming guy. In other words, he had charisma. That's what got the vote. Both sides take that position and you see how people are cast. It's formulated by a perception

You can watch Congress debate these issues live from Washington, D.C. over C-SPAN, and you get an education. You see what's going on. People are better informed today than they've ever been in the history of our country because of television and media. With email you can send letters and people get a response. So there are a lot of good things happening but

the cost of political campaigns is what's too high. You get recognition of your name, mainly because of the repetition of it, being able to put on TV spots A 30-second byte, as they call them, helps you win a lot of elections.

Jarrell: Did you do TV?

Mello: Oh yes. I was in charge of campaigns in the Senate, to help get their budgets, get the campaign managers . . .

Jarrell: Of your fellow Democrats.

Mello: Yes, polling in the Senate. We do a lot of TV because you have a different TV market in the Monterey Bay area and you can penetrate the market at a lot lower cost than you can in Los Angeles. There are different rates.

Jarrell: The media markets are different.

Mello: In Los Angeles it was about $12,000-$20,000 for a 30-second spot. All rates for TV and radio are based on the Nielson ratings which reflect how many people are viewing at that time. Our polling found that if we got around the 6 o'clock news, that's when more people listened to Channel 11 in San Jose. During the daytime you have all the soaps and people will switch around, so you don't have people listening. We targeted our TV spots around news programs. We do the same thing on other stations. Monday night football was always a good time because of the ratings. You asked me if we always do TV? The answer to that is no. It depends on the district, on the market and the cost of TV. Los Angeles is

just about a never-do situation for a local candidate. Statewide . . . governors and others will do it there because they can get a lot of coverage and they are spending a lot of money. On cable, you can get on for a lot less money than you can on a regular affiliate station. So polling becomes important to find out just how to campaign. But that's what runs the cost up. Television is costly.

Sending out direct mail is the best, because you are guaranteed that that mail is going to enter the person's mailbox and living room. But you have to have good mail. You have to try to sell yourself in a brochure and at the end of a campaign in the last two weeks people's mailboxes are crammed with stuff, so they just toss them all out. You have to have something that sort of grabs their attention. During my term of office I sent out questionnaires to voters, when I was not up for election. I ask them a lot of questions, how they stand on this, how they stand on that. I wrote to my constituents that the questionnaire cost 32 cents to mail. Did they think this was a valid expense of public funds? It's paid for by the state, but we get a good response back. The response was favorable to using that as a public expense. It was not a campaign piece. It didn't say Henry Mello is a great guy.

Reflections on California Governors

Jarrell: I'd like you to discuss the governors with whom you've worked—Pat [Edmund G.] Brown, Jerry [Edmund G.] Brown, Jr., George Deukmejian, and Pete Wilson. Please give me your assessments of their styles and any personal anecdotes you have.

Mello: When I was on the board of supervisors. I was active in the county Democratic Central Committee and got to meet Pat Brown . . . well in fact I supported him when he ran for attorney general. He always said he ran for attorney general and looked around and the only person he had supporting him in Santa Cruz County was Henry Mello. He went on to become governor. In fact I ran his campaign here in 1958, and again in 1962 when he ran for re-election and won against Richard Nixon. So I'd known Jerry from those early days. Then he became secretary of state and then governor. I think he will go down in history as one of California's great governors, as a person who really moved us into the tremendous growth that California was having, developing a freeway system and water statewide, and also the education system, moving in areas that were difficult to bring about. He was very good to work with and I knew him and his staff quite well. He and his staff were very cordial and I could always get in and talk to them.

Governor Edmund G. Brown, Jr.

Once I got elected to the assembly, Jerry Brown was the governor at that point. I got elected in 1976 and he got elected in 1974 and served two terms. So I served six of my years with a Democratic governor, Jerry Brown. I expected him to be more like his father. But he wasn't. He was a very bright person. He went on to run for president three times and U.S. Senate and now he is elected mayor of Oakland. He's always thinking way ahead. He likes to be surrounded with people who are thinkers, who look way in the future. He is always testing new programs, many of which work and

some do not work. Well he was able to forecast a lot of things that were on the horizon.

I thought he was going to be a chip off the old block. My philosophy was if it's not broke don't fix it. But his is, if it's not broke go ahead and change it. What are we doing this for? We've been doing it this way for forty years. That's outrageous. Let's do it a new way. One time he wanted California to have its own satellite. He was really thinking way in the future. I liked him personally. He is a very thoughtful person in thinking of new, creative ideas. I think his conflict is he just doesn't like the status quo.

When the Mediterranean fruitfly was threatening the state's agriculture we spent a lot of money on eradicating it. He didn't believe in spraying at first. He finally got around to it when it got completely out of control. I went and talked to him personally about the spraying because my area raised winter crops. When the ground is wet you've got to get in there and do the spraying to protect the crops. Aerial spraying is done in a way that the airplanes and helicopters fly very low and the application is applied right on the plants. They do it in the early morning hours when there's no wind. If there is wind in the morning they won't do it at all. But usually the wind comes up in the afternoon. Aerial spraying at certain times of the year is the only option open to get in there and provide coverage for certain crops. He didn't understand that. Mr. Rollinger, his director of agriculture explained this whole thing to him and why we couldn't stop aerial spraying. We make sure that there are certain rules there so that it doesn't endanger humans. Mr. Rollinger agreed. He said Henry's right. This is

something that has to be done. Mr. Rollinger was a farmer who knew agriculture quite well. In fact Gray Davis was his chief of staff at that time. But once we had that conversation the governor shifted right from that subject matter . . . I guess he just felt that his own staff Mr. Rolinger and myself made credible statements there so . . . you never heard any more of it after that.

Jarrell: So that was abandoned?

Mello: He abandoned it. Whether he abandoned it right after my discussion with him . . . but others were talking with him also about aerial spraying. It's still being done today, especially in this area where we have a lot of winter crops. Even with strawberries you can get in and cover a field fully. Now that's a different subject than methyl bromide, which is something that is not sprayed. It's injected 18 inches under the ground. That's used as a sterilization. But that's very dangerous toxic material, methyl bromide is. It's got to be used with great caution.

I'd say several things about him. This relates to how to he got elected as mayor of Oakland amongst 11 candidates, and several of them African-Americans. He was the first governor to really put a lot of women into government. Like Rose Bird on the Supreme Court. She was controversial, but she was a great person. He appointed many women as department heads. He appointed minority people, African-Americans and Native Americans and Asians.

Jarrell: That wasn't so commonplace back then.

Mello: Yes, remarkable. He really broke a lot of new ground. President Clinton now has done the same thing, carrying on that same tradition.

He started the Civilian Conservation Corps that went out and did a lot work. Young kids who were having a hard time in school, they got them out and working on projects for the cities and counties and districts, fighting fires and making ditches to help the water flow. B.T. Collins was the first director and he went in there and he ran that and he was such a beautiful guy, he passed away. He was a Vietnam vet and he had had a leg shot off and an arm, but he walked with one leg and a prosthetic and his had a hook on one arm. But he got in there and in a Marine style . . . be proud of the organization and march and do a salute, be dedicated to the corps, the job we're doing. Everybody in the legislature loved him. They supported his budget. They were fighting each other trying to give him more money. (laughter) He was doing such a great job. Well that was one of Jerry Brown's creations. As was many other programs that he did.

So he did a lot of creative things and I think overall he opened up the government a lot more. But his whole style was . . . I knew people that worked for him. It was not an easy 9 to 5 job. (laughter)

Jarrell: Why was it not an easy 9 to 5 job?

Mello: They'd be working until 9 or 10 o'clock at night. I'm talking about his inner sanctum. They'd get hungry, and go out to eat, or order some food to come in, a pizza or something, or they'd go down to one of the favorite places, Frank Fat's in Sacramento. They'd come in, three or four of

them, and have dinner. Then they'd go back to the Capitol office and brainstorm until maybe 1 or 2 o'clock in the morning.

He had his apartment across the street; he wouldn't live in the governor's mansion, which every other governor had lived in. Ronald Reagan wouldn't live in the old governor's mansion, which was converted to a park, so they got ten or eleven acres along the American River, a great big piece of property and a home that was remodeled. That was just before Jerry Brown got in. It was going to be a permanent governor's mansion to replace the one that was down on 16th street. Jerry Brown wouldn't move into it. He called it a Taj Majal. When he left, Governor Deukmejian came in and then Governor Deukmejian got into a conflict with the legislature. Then I was trying to arrange it so that Governor Deukmejian could move in and it would be there for every governor, a beautiful, big place out there. Some of the very powerful senators said they just didn't want anyone in there. So they put it up for sale, took bids on it, and finally sold it. It was beautiful. The governor is like a head of the state. You have people from all over the world here to California. This is where they want to come.

Jarrell: So where does the governor live now?

Mello: Well now the governor is living out on property that's off the American River, on Wilhaggin street. It's a very nice home, purchased by a group of wealthy people, and leased to Governor Deukmejian, then to Governor Wilson. But if a Democrat gets in, I don't know what will happen. They'll probably sell the house, and if Gray Davis is in he'll probably have to go look for a house. I don't know what he'll do. But I

think the governor of the largest state, of the sixth largest economy in the world, should have something that's a measure of being in that position. We had this beautiful home out there that we could have had for perpetuity. But through this conflict it's no longer there.

Jarrell: Well to get back to Governor Brown. So he lived in this modest apartment. I've read that Gray Davis suggested that he drive a modest Plymouth.

Mello: Yes, he did. Well he had two Plymouths, two blue Plymouths. It was symbolic more than anything, but it put forth his message. I remember once we had him down here in Monterey for an event, and of course they always invite the local people. He flew down on the fish and game plane that the governors usually fly on. We met him at the airport. By golly, the blue Plymouth was there.

Jarrell: How did it get there?

Mello: They had somebody drive it down. You not only drive a blue Plymouth. You drive it to save money, but then you fly down in a plane and then you drive down so you're providing two different kinds of transportation. He always wanted to know what the local issues were, so I covered those with him. Then we went to this event where he spoke at the Hyatt, met with some people, and then he got back in the plane. As I recall he drove from the airport. The Highway Patrol was there also to provide security. He had a driver there, and I think he rode in the Plymouth. I think

I did also. They were auctioned later on and some people bought them. They paid big prices for them! (laughter)

Jarrell: How would you assess Jerry Brown as a nuts-and-bolts politician? You are saying he was a visionary, very imaginative . . .

Mello: Yes he was. He had a hard time keeping good cordial relationships with the legislature and with members, even on a national level, just because of his style. He wasn't a very cordial person who would be open and accessible. Well, he was accessible, but he wasn't really open to a lot of ideas. In fact when I was in the legislature a lot of members of our own party were critical of him.

He did some far-reaching things. For example he appointed Rose Bird as the chief justice of California Supreme Court. She was a lawyer but she never practiced any law at all. But he made her chief justice right off the bat. A very bright person but she got recalled by the voters. Jerry was against capital punishment. I forget the number of cases of people who were on death row up for appeal that she led the court in reversing, in commuting their sentence to life in prison, in some cases on technicalities throwing the case out.

He appointed a lot of minorities to state government, and women. And that was really a first for any California governor, to try to reach out and put an emphasis on the diversity of California, and also bring in women into many important positions. The director of the California Department of Transportation, Adriana Gianturco was one of his key appointments, as

was Rose Bird and a whole list of other women. So he broke a lot of ground in those areas. The number of African-Americans and Latinos and even Asians in our University system were very low because the enrollment process was such that it favored non-minorities. He was very supportive of farmworkers, Cesar Chavez, and the growers didn't like him.[6] And setting up the Agricultural Labor Relations Board his appointments were weighted towards the workers. The act that was approved said that this was done to protect workers and to enhance their safety and wages. But he loaded the board with pro-worker philosophies. Many times I went to talk to him about agriculture, which I represented an awful lot of. He would come up with this so called think tank that he had.

There again, in keeping with his philosophy, he felt farmworkers were being underpaid, and lived in miserable conditions, and there were a lot of abuses. Part of that was true but I think he didn't have a full picture. Many agricultural workers make pretty good money if they work on piece work, and if they really want to work hard. But I think forming the board was a move that was proper and we needed that because by federal law, the NRLB, the National Labor Relations Board, takes care of all working conditions, except agriculture is exempt.

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[6]The California Agricultural Relations Act of August, 1975, was enacted when volatile relations between growers and farm workers threatened the state's agricultural economy. The board's primary functions include implementing secret ballot elections for collective bargaining by agricultural employers and preventing and remedying unfair labor practices which impede collective bargaining.

Jarrell: And was exempt in the original legislation.

Mello: Yes. Agricultural workers and farmers needed it, because they'd pull a strike, and you'd have a wildcat strike out there. They always wait until the crop is ready to harvest.

Jarrell: They have leverage then.

Mello: They have leverage. But I think that the mistake he made, as history will show, and it's the same thing Roosevelt tried to do when he was president, he packed the board with pro-worker people. He had a general counsel who was very much pro-worker, along with the board. So the farmers took a beating.

Jarrell: Do you remember who the general counsel was?

Mello: His name was Boren [L.] Chertkov. And he had Bishop Roger Mahoney on the board along with all other . . . and when Governor Deukmejian got in, we tried to swing back the other way again. It got more pro-grower and anti-worker, even under Governor Wilson. During the past three governors the ARLB has lacked balance. Then you look at the law. Well the law says they have to help provide the benefits and protect farmworkers. It's really tilted towards farmworkers.

Jarrell: And when there's a Republican governor?

Mello: Knowing that the board is made up of more grower interests, they've figured out other means of trying to address their issues. They do

boycotting. They went to the Marriott Hotel in Los Angeles and tried to get them to quit purchasing strawberries from Driscoll or somebody here locally. I think that's not a place to negotiate. You negotiate at the bargaining table. But one side feels they are not going to get a square deal or a fair shake, so they go to the outside and use other means. I think we needed a board to help mediate and solve the issues with agriculture and agricultural workers. The tools are there, but I think the implementation has gone from one extreme to another.

Jarrell: Another aspect of Governor Brown's legacy. What do you think of the way he approached the University of California? Ronald Reagan, when he was governor, certainly had a huge impact on the UC system. And likewise Jerry Brown. I think you could say it was sort of orthodoxy for Democratic governors to give uniform support to the University. Jerry Brown was not uniformly supportive of UC. What are your thoughts on that?

Mello: I think he was probably looking at some of the things he didn't like that they were doing instead of looking at the overall broad picture of higher education. You can look at the positive things in the University of California systemwide and find out they excel in almost every field. He may not have liked the fact that they were doing research work for agriculture at the University of California at Davis. He didn't like that because he thought they were making agriculture wealthy by using the University. That was his opinion. That's not mine.

They also do medical research on animals, which I think has an overall positive effect, because testing on animals has led to procedures being used on humans that have been life-saving and very helpful. But I think previously they were abusing animals, by doing two, three, and four procedures on them before discarding them. They were just using them there. That was awful. So even during my time up there we helped turn that around so that they would only use a single procedure on an animal. But they thought those kinds of animals were hard to find. Jerry Brown often saw the one negative thing out of a bunch of positive things. He would just say, no we're not going to give you this money because of that one negative thing.

I think you have to look at the overall picture. Students and professors at our universities are always looking over the horizon. They're always one or two or ten steps ahead. So if I was in a position like that I would not discourage the university. I would encourage them to go ahead and really take a good look at the world and see where we're heading with everything. The ozone hole and global warming, human rights issues, and a lot of things that they're talking about now, came [from] scientists and people who came out of the universities being able to look far in the future. We have to look and see where we're heading, and try to stop those things that pose a great danger to society.

Governor George Deukmejian

George Deukmejian came in and of course I'd known him. He was in the senate when I was in the assembly and I'd worked with him on some bills.

He was more conservative. But during the eight years he was there you pretty much knew his philosophy, to the point where I thought, well there's no use putting a bill on his desk that he's going to veto. He was deeply entrenched in his own philosophic feelings. Compare him with Governor Pat Brown, who went out and built freeways and had a gas tax increase, and a bond issue for building the California water system. George Deukmejian was against a gas tax increase for fixing the roads. Historically, a gas tax is what supports our road system. I think it's fair, because the people who are driving more, have bigger cars, and use more gas are paying a bigger share than those who are economizing and driving smaller cars with less fuel. Those who don't have a car don't pay any taxes. But right now the county is looking at a plan for raising sales tax to help fix the roads. That broadens the pay a lot more, but it affects everybody. It affects poor people a lot more by having a sales tax put in because everybody has to pay for it, whether they use the roads or not.

Anyway, George Deukmejian was of that philosophy. It was awful hard to get him to support a new program, even though he did support a lot of my programs for the aging. But it took some time working with him and his staff. They were telling the governor that this is a good plan, and he would go ahead and do it then. I know I enjoyed working with George Deukmejian. Any legislator has to know what to expect from the governor that's elected. It's a very powerful position and once you know what their philosophy is, you know how far you can go, and how far you can't go. I'm mindful of Ronald Reagan's statement that he'd never raise taxes. I think he said if his feet were stuck in concrete he'd never raise withholding taxes

in this state. You know, one of those statements. Everyone praised him for that. But finally, when it showed that we were losing a lot of money from people not paying taxes, he got the bill [raising withholding taxes] on his desk, and agreed to sign it. He said, you hear that rumbling noise out there? That's the concrete cracking underneath my feet. (laughter)

Jarrell: Because he said he'd never sign it.

Mello: He reversed himself but he did it in a way that poked fun at himself. He said now I know I changed my mind . . .

Jarrell: I know better.

Mello: Yes, I know better. And I think that's a good plus.

Jarrell: Think of George Bush: "Read my lips. No new taxes." He couldn't back down from that.

Mello: (laughter) Yes, that's true. George Deukmejian was a fiscal conservative, a law-and-order type person. He wanted to get people off welfare. He helped education, but he didn't really want to go out and spend more money for education. He believed that what was wrong with schools was more than just throwing more money at them. He thought we needed to make systemic changes in the schools.

Governor Pete Wilson

When Governor Pete Wilson came in, I had worked with him before when he was in the assembly and I was a county supervisor. I worked on the

Coastal Act and a few other things. I thought, well here's a person who was more environmental.

Jarrell: He was quite a moderate Republican and he'd been mayor of San Diego.

Mello: He was and is today a moderate Republican, even though unlike Deukmejian he will change positions a lot but he doesn't mention the concrete thing that Reagan did. He is a pro-choice Republican and he's changed his mind a lot on the environment. He really hasn't been a big protector of the environment as he was earlier. But you just don't know from him, like you did from Deukmejian, you just don't know from Pete Wilson whether he is going to sign a bill. You'd have to work with his staff sometimes. They don't know.

Jarrell: To what to you attribute this kind of unpredictability in Governor Wilson?

Mello: Well I think Governor Wilson always and still does have feelings that he's going to be a presidential candidate. He was a presidential candidate in 1996.

Jarrell: And it went nowhere.

Mello: His campaign went nowhere and he folded up fast. Even his own party, a lot of the conservatives wouldn't support him because he wasn't conservative enough. So what I find with him is . . . and I have no proof, I think most governors and presidents will do a lot of polling out there and

if they see one shift in one direction and they see that as a stable thing that's happened, they try to get with it at an early point to be identified with it. Then if the one shifts in the other direction you can see them adjust in the other direction. Deukmejian didn't care which way the wind was blowing. He just believed straight ahead what his principles were, and he never deviated from them very much. But if you go back and follow Governor Wilson's administration from the time he became governor, there've been a lot of changes. For education, he came out . . . see we had several bills for years to cut class size down. The governor just vetoed them all. He wouldn't have anything to do with them. When he saw that we were getting some extra money in, and with Prop. 98, which says that 41% of the general fund must go to education, suddenly the governor supported class-size reduction, and a lot of money went into it. So those of us who really try to think these things through, saw just what the motivation was. He disliked teachers so much he just didn't want to see this extra money going into teacher salaries. So by moving it into class size reduction it took it off of the pot, so to speak . . .

Jarrell: For increases in teacher's salaries.

Mello: For education, yes, and left less money for that. In other words, it earmarked the money. I support class size reduction. The fact that they are looking for teachers and even paying them like they do sports figures so much for signing a contract . . .

Jarrell: But it's still very low salaries.

Mello: It's low compared to the average. The teachers, the CTA and the AFT and different teacher groups never did endorse Governor Wilson. The state employee groups haven't had a raise for about four years now. He's so anti-state employees and teachers. He even went and eliminated the Industrial Commission that deals with workers salaries and working conditions. They made an administrative rule to eliminate overtime over eight hours.

Jarrell: I know. The labor unions fought that like crazy.

Mello: It passed and they tried to challenge that in court. I don't know what's going to happen. Historically you work eight hours a day. Anything over eight hours you get paid time and a half. If you work over 40 hours you get paid time and a half. This way you can work 12 hour days for three days, that's 36 hours, and then work 4 hours and you've got your 40 hours and never get a cent worth of overtime.

Jarrell: He's been anti-labor.

Mello: Anti-worker, anti-labor, yes. In my 20 years up there . . . let's see I was with Jerry Brown six years and then eight years with Deukmejian and six years with Pete Wilson.

Jarrell: In comparing Deukmejian and Wilson, what I'm understanding you to say is that no matter what was going on, Deukmejian had a philosophy, he had a set of principles and he hued to them, stuck to them.

Mello: Yes, that's true.

Jarrell: But Pete Wilson philosophically was all over the field, unpredictable, poll-driven. Deukmejian was never interested in running for higher office. Do you think that has anything to do with it?

Mello: I really don't know. I think it probably does. In Governor Wilson's final year he's still out there doing a lot of things that are symbolic, when he's really phasing down on his term. He's still a young person and he could run, but I don't think he's got a chance of running. In all the polls I've seen he finishes way down the list of those candidates.

Jarrell: What do you think of Governor Pete Wilson's support of Proposition 187 and Proposition 209, which banished affirmative action. What do you think politically is motivating him to support these sorts of initiatives?

Mello: Well the majority of people supported those issues. I think if you look at the polls and the way people voted, this is in line with his thoughts. He wants to revive his candidacy for the year 2000 and make a run for president. Diane Feinstein will be up for election in 2000. I don't know if he ever wants to run for the senate again, but I just don't know if he's ready to retire fully. I think he wants to get back into some . . .

Jarrell: Presidential politics?

Mello: Yes, that's his first priority. But I don't know if the people who control the party are going to buy into his philosophy. But I think, to answer your question, he does what a lot of people do; they do a lot of

polling and see what the numbers are. The polling process influences a lot of decisions today.

I remember once Senator Lockyer couldn't make it to a meeting, so since I was a majority leader, he said he would call the governor's office and say Senator Mello would be representing him. So I did. We were talking about a gas tax. He had a proposition to put before the voters. The voters passed it, making earthquake-proof freeway bridges and overpasses, and fixing some of the earthquake damage on the roads and freeways. It was about 300 or 400 million dollars. I had gotten a sheet from the treasurer's office, a print-out. I called the treasurer and I asked what would it cost if we just raised gas taxes a certain amount. Over a period of time how much would the total be, compared to putting it in a bond issue and paying interest on it? It was a savings of about a billion dollars. Boy, I never had any aspirations to be governor, but I would have no problem with raising gas taxes, as a low cost way and a fair way. But putting it on a bond issue like he did . . . you sell the bonds and you pay interest on them. When you add up the cumulative totals, the people of California paid a billion dollars more by financing this earthquake-proofing through a bond issue than they would have through a slight increase in the gas tax. I'm talking about a 2 or 3 cents increase in gas taxes. Most governors I worked with . . . Jerry Brown supported it one time . . . most of them don't want to raise gas taxes at all.

Jarrell: They don't want to raise taxes at all.

Mello: No, no taxes at all. That's a big sin.

Jarrell: Even if it's a penny. That's interesting. You don't have to say you've raised taxes if you have a bond issue, right?

Mello: Right. The people voted it in. He can say I didn't raise it, the people voted this in. Now, one comparison is OPEC, they will sit down and raise the price of gas 10 or 15 cents a gallon. What do people say? Ho hum. We've got to run our cars anyway. They pay the extra money. Where does it go? It goes into the pockets of those oil-producing countries. Yet if we were to raise just two cents a gallon to do something constructive, to help fix our roads, and provide more safety on our highways, historically the voters, unless you have a good convincing campaign, it's pretty hard to convince voters to support that. It's something I could never cope with too well. If I was in that position, taking the lower costs, it probably would not fit too well with the taxpayers, because it's raising taxes. So that's how these different governors have operated.

You might say the governorship is just another position, but they are really in a very important position in the state. They appoint all the judges, some 1900 appointments; they appoint every department head in the government agencies; they appoint the members of all boards and commissions. Their philosophy gets carried out. The governor dictates where we are going in California.

The Future of California

Jarrell: There's a dramatic demographic change taking place in California. In terms of California politics, the legislature, the governor—what's going

to be the relationship between these demographic changes where whites are going to become a minority among minorities, and our state's political evolution? How are our politics going to accommodate and deal with these massive changes in our state over the next generation?

Mello: Well first of all, you have to look at why this is happening. California is a unique state. It's almost everyone's dream to come to California. That started after World War II, when television came about. People would be looking at the Rose Bowl game on New Year's Day and see the sun shining. It was 75 degrees in Pasadena, and they'd be living in New York or the Midwest with eight feet of snow. California's weather was a big draw. 90% of the people live within thirty miles of the ocean. This 1100 mile strip of the coastal area thirty miles wide really has the best climate in the whole world. So that's number one.

But if we had the best climate with no jobs, people wouldn't be coming here. So why do people come to California? Number one is the climate and the weather and the environment. Number two is the economy. The jobs are here. Some are in agriculture. We're the largest agricultural producing state. All up and down the state of California is a wide magnitude of different diverse crops that are raised here. We lead the whole nation in probably 40 different commodities, including cotton, dairy products, fruits and vegetables. We have high tech, Silicon Valley and all the computer technology that's evolved in California.

I think the third thing is that California over the years has had legislation that provides hope for people's aspirations. Even though housing has been

a problem, California is always on the move in providing more affordable housing for people. Nursing homes and care for the elderly. Even posting so-called welfare benefits. They call California a welfare state. Well the cost of living is higher here. So we provide the benefits, the human compassion for people who have a need, mainly women with small children under Aid to Families with Dependent Children. Many times the father has abandoned the family. Many can't live with the amount they're getting but it's way higher than many other states.

But your question was directed at the demographics and how to cope with it. I think what we have to do is look at why all this has happened. We're trying to keep the economy going at its very strong pace. I think we have to have better ways of controlling the numbers of people who come here illegally, because the numbers are increasing so greatly that's it's going to put a very discouraging situation between citizens who are born and raised here and those that are undocumented. I'm not against legal immigration but I think it should be controlled by a status situation where people can come under conditions approved by both countries.

Jarrell: The other day you were talking about the new ten year census, and how important it is that the enumeration of California citizens is as accurate as possible, because an undercount is an enormous fiscal burden on the state.

Mello: Well not only that, but by having it accurately counted, cities and counties and states are allocated certain funds based on their population. They say that California has been undercounted by from one to two

million people, which means we lose a tremendous amount of money. Many cities and counties complain that they want an accurate count because they want to get more money back. But it's also important in our political process. The constitution calls for one man, one vote, or one person, one vote. By counting everybody you can more fairly distribute the voting. California right now could probably get two more congressmen, with the number of people that we have who have been undercounted. A million people would give us about two more congresspeople. The reapportionment will be done between the term right after the year 2000, to be effective on the 2002 elections. The new districts will be put in place in time for that.

Jarrell: So all of that will be figured out from the 2000 census in time for the 2002 elections.

Cesar Chavez and the United Farm Workers

Jarrell: How did you first meet Cesar Chavez and become involved in the local union negotiations with J.J. Crosetti?

Mello: I met him when I was running for the Assembly when Jerry Brown was governor. Cesar would always come around and meet different people. I represented a large agricultural area so I got to meet him then. Of course he was very active in Sacramento and the UFW contributed close to $750,000 to different candidates. They worked with the leadership of both houses and would find out who would help in their campaign. During my twenty years up there, I have had great sympathy for farmworkers . . .

sanitation in the fields and decent wages. They are a highly mobile group who have followed the crops throughout the state. Almost all of them have children so their children were being in school if their parents wanted them in school. A lot of times they felt school was just a waste of time. They would be here for strawberries and lettuce and different crops; then they'd go to Porterville or over to the Central Valley for oranges and then El Centro for lettuce and cantaloupes. Then a lot of them go home to Mexico for a couple of months during the winter time. But during 1980 when I was running for the Senate, the farmers opposed me, the farmers here in the Pajaro Valley and the western growers groups. I was running against Eric Seastrand who was really Republican and pro farmer and . . .

Jarrell: Anti-union.

Mello: Yes, anti-union. That was a tough campaign and took a lot of money. I think I spent $500,000 and my opponent spent over $600,000. So at any rate, I guess Cesar Chavez saw that if Eric Seastrand got elected he would have an anti-union person, and even though I was pretty much pro-farmer and pro-worker, I was sort of balanced and maybe he thought I might be easier to work with. So he put $15,000 in my campaign in 1980. They had some get-out-the-vote people helping my campaign. I thought, what the heck, the farmers are going against me, so I won the campaign. In 1984 when I was up for re-election I had had a lot of talks with Cesar Chavez. Later on, after 1984, I had negotiated a claim that the UFW had won against Joe Crosetti, a local farmer, a good friend of mine also, and for about $5 million dollars and a judgment that the NLRB had voted . . . so

Mr. Crosetti said he'd like to get this thing resolved. Because having a $5 million dollar claim, he was getting along in years, he thought what would happen if he should pass away? Then his family would have to deal with this.

Jarrell: What was it for, exactly?

Mello: It was for what they call a make-hold remedy. A make-hold is those workers that because they were striking on the property, they couldn't work, the board always had what they called make-hold, they ought to make them hold for the lost wages that they had. It was a phenomenal amount of money, and it had to go directly to them. So I called up Mr. Chavez. I talked to him quite frequently, and to Dolores Huerta, who was a co-founder of the UFW We set up some negotiation sessions with their attorneys present, about three sessions. We resolved that. We finally settled. I think Mr. Crosetti paid $275,000 out of $5 million. But he was tough. It was like getting dollar for dollar, getting them closer together. Mr. Crosetti's attorney was saying we shouldn't settle, we should fight on. So I had a private conversation with Mr. Crosetti and I said, hey look, this is the time to settle. You've got this thing worked on. Get it resolved and get it behind you. I don't want to negotiate this anymore. That's what I told him. As we were leaving I talked to Mr. Chavez and his group and I told him where we were, that I was trying to get Crosetti to close this. Both sides were really tough, but we finally got it resolved.

One thing about Mr. Chavez, in those days was that he liked to have you be 100% for them, for the farmworkers, the UFW. I was never 100% for

them and I was far from being 100% for the farm groups either, because a lot of times they wanted things that were self-serving that I couldn't support. So in 1984 when I was up for re-election he went and got a candidate named Pat Fahey who was a member of the Teamster's union to file and run against me. He was the head of one of the Teamsters groups and I went over to the elections department and got a copy of the check signed by Cesar Chavez paying this guy's registration fee. So I included that in my campaign mailer showing that Cesar Chavez paid this guy's fees. I sent if off to different farm people. He pulled out of the race before the final filing time. But I got a lot of publicity from that.

So the point is, I think the voters saw me as an independent person. Even though he put this contribution in my campaign in 1980, the people saw that that didn't buy anybody anything. I was supporting worker protection from pesticides, worker safety and sanitation, decent wages and housing.

I have to tell you what I told Cesar Chavez. He was so adamant against certain growers because he just disliked their attitude towards the UFW. The UFW was boycotting them. I told him if you want to get more money for your workers, it's simple. Just make sure the grower breaks even, and makes a few dollars. Then you can get more for your people. But if they go broke, if they don't have the money to pay the wages, they'll go out of business and the land is still there and someone else will come in and then you start all over trying to deal with somebody else. I told him these farmers sometimes in a good year make money; sometimes they don't. It's

a highly speculative endeavor. But he could never get that kind of message. He had such a vindictive way against some of the growers. He felt he ought to go in an outright war against them.

After he passed away, in fact my last year in the Senate, 1996, Arturo Rodriguez, his son-in-law, and Dolores Huerta, came to me in Sacramento and asked if I could help them develop some communication with the growers because they had 20,000 workers there and they should belong to the union. I said, I'll have to see. I know one thing, they're not just going to roll over and sign a union contract. Actually they can't sign a union contract unless the workers vote it in.

Jarrell: Exactly what were Rodriguez and Huerta asking of you?

Mello: Well they wanted to start communication, they used the word communication. They wanted to see if they could just talk, and to show them what the benefits to them would be of their workers belonging to the union. They could have no work stoppages. There would be no strikes, no boycotting, and workers would in return have health benefits and more opportunity. I did meet with several strawberry growers and the group grew up to about 19 members, and they represented large growers and associations, pretty much represented a large part of the industry. Some of the growers felt they might want this, there was no harm in talking. But others said we just don't want to talk with them; they didn't want to talk for their own personal reasons. We brought in half a different leaders. I wasn't advocating that they join the union or not join the union. I always felt that if you can communicate with people, whether it is a worldwide

problem, or trying to resolve local issues, that at least communication will bring about an understanding of what the issues are and you bring about peace in the fields. Because they won't hit you when you're not harvesting your crop. They'll just come at you when you have a full load of strawberries, cantaloupes, or apples.

They operated very intelligently in trying to do that and they had a lot of sympathy from different groups. They had a lot of dedicated people working with the UFW, young attorneys, people who felt that this was a mission, that they wanted to follow Cesar Chavez's path, his goals, a Martin Luther King-type of mission. They had a lot of sympathy from the public. There's a lot of information about what the farmworkers are making. When you break it down on an hourly basis . . . if they work hard out there, and it's hard work working strawberries, especially when you are stooping over picking them, and if you have good farming activity, you can make pretty good money. But it's a short season, a six-month, seven-month season. The rest of the season you have to be migrating to another area, working another crop. But you can make fairly good money.

I helped start the Buena Vista Farm Labor Camp back when I was on the board of supervisors. Dentists formed a program there where they set up a little trailer and provided dental work for the children there. Many of these children had never seen a dentist, in their homeland, Mexico, presumably.

I worked with Cesar Chavez, Arturo Rodriguez, and Dolores Huerta . . . but I haven't communicated with them for over a year. I think they respect me. I respect what they're doing. The only thing I don't like to see happen

is the tactics that are used by both sides, to not work for the betterment of the ability of workers to gain a meaningful wage, and the ability for farmers to make a profit, to get a return on their investment, and provide a needed food supply. As a union they haven't been too well managed as far as their health care program. They got to a point where they weren't paying their medical bills and a lot of provider doctors refused to take their patients because they said they weren't getting paid. But they do have good pension and medical plans.

The ALRB went way back the other way. I felt we needed some balance there, so I was supporting getting somebody who was a little bit more balanced towards both farmer and worker. Mr. Chavez testified against these people. He didn't want them confirmed at all. I did vote for one or two of those, and I think that's what got him upset with me. I just had to be independent . . . because I always felt that agriculture in California is a major resource, a major producer of jobs in the economy and food supplier for the whole world. You just can't hamper them by putting their arms behind their back, putting handcuffs on them and expecting them to go ahead and do these things. They have to be able to survive in a fair way. The ALRB gave California a platform from which to settle agriculture disputes. Because a lot of them, they just have a wildcat strike and they can bring havoc to the industry.

So that's what happened. Chavez got ticked off at me in 1983 and 1984, and that's when . . . he just wanted to send me a message, I guess, and the message came through. A few years later there I was sitting down with

him again trying to negotiate a settlement between him and Mr. Crosetti, and we were successful. He agreed that I would act as a go-between because he saw that I was fair enough to try to get a result in a fair way, which I did.

But, where two years before that he was trying to put up a filing fee for an opponent to run against me, a few years later he made peace with me somehow. I never did hold a grudge against him for doing that. I thought, well it was a dumb thing on his part. It's sort of funny.

Jarrell: What's your attitude towards agricultural labor trying to organize?

Mello: You have to look at the rules of the game. You know, the UFW can bring all the movie stars here they want, bring all the people from all over the world here, but organizing and bringing forth the union to represent the workers for a certain company is only done one way. The union can't force it. Neither can the grower. It has to involve a petition of the workers. Once the workers get 50% who want an election, then an election has to be called within seven days. So what happened is this so-called wildcat union went out and worked secretly and got enough people to sign petitions. They surprised the UFW and everybody else. They could have had 20% of the petitions and they would have been on the ballot too, but if the other side had 50 and they only had 20, they would have been embarrassed by losing. So they chose not to. Then they chose another tactical, procedural, way of not complying with the law. But the point I want to make clear here is that nobody can force workers into a union, nobody, or out of a union. They have to do it themselves. It has to evolve as a petition. It does take

people working on behalf of whoever the workers are. They have to go in there and get people to sign.

Jarrell: Standing back, how would you assess Chavez as an historical figure, as a union leader, a leader of the Hispanic people?

Mello: I think he'll go down in history as a real pioneer and crusader for the causes of farmworkers. Whether he'll reach the plateau of Martin Luther King or others . . . he'll certainly have his place in history. I'd say he was effective even though he didn't win everything he went after. But overall, farmworkers are better off today. There's better farmworker housing; better farmworker wages. Many farmworkers now have health insurance and vacation plans, and there've been health programs being made available for farmworker families. I doubt whether many of these would have come about voluntarily. A lot of growers now see the necessity for including fringe benefits because the private sector does this, and this helps them to keep experienced and trained people working on the farms if the benefits are there. The seasonality of farmworkers work . . . when the harvesting is over they don't have a job for awhile, so getting unemployment insurance is important. That was one thing that happened a few years back. Withholding of income tax put them in a different position of being able to stabilize their finances and their tax returns.

I think the pluses far outweigh the minuses as far as his overall effort, even though he's disliked by a lot of people in agriculture. Did he accomplish his goals? I'd say yes he did. He helped bring about farmworker safety, sanitation out in the fields. That doesn't mean that everything has been

solved but it means that there's been a real elevation of farmworkers' benefits through his efforts. I think others tried before but they weren't able to succeed for the farmworkers . . .

The other thing about him is he was looked at as a true leader, one whom people would rally around and look up to. They had this great devotion for his efforts; they would support what he was trying to do and give him their time. He drew attorneys into his organization who fought hard for his causes. He was looked upon as a true leader.

Although his successors, Dolores Huerta and Arturo Rodriguez, have the same commitment, there are some divisions in farmworker groups. I guess that's true for any type of union. It's awful hard for unions to get discipline within their ranks, from the top down. Workers want to make sure they are getting value received for belonging to a labor union. Sometimes the economy goes up and down and it's hard to ensure on a long-standing basis.

Jarrell: So you think elevation of the migrant workers wouldn't have been accomplished without Chavez?

Mello: In time something would have happened. I think many growers saw . . . especially getting into unemployment benefits. Many good workers left agriculture and went to work in other industries where they had year-round benefits. They had unemployment insurance when they were off and the season was over. A lot of growers saw that in order to keep good, experienced workers you have to be competitive with benefits

and wages paid by other businesses. It would have happened, but I think what Cesar Chavez did . . . he went out and he fasted for 34 days one time, just drinking water. That was a strong message, whether you agreed with him or not. I'm not saying I agree with everything he did. But I watched him evolve as the leader of farmworkers. His commitment was never shown to be less than a full effort on his part.

Jarrell: It wasn't for self-aggrandizement.

Mello: Yes, that's right. No self-gratification or anything like that. You know to fast for 34 days and he was put in jail at times and everything. So he was really committed to the cause that he worked for. I think history will reflect his true relationship to his cause; it will have to show that.

Salud para la Gente Clinic

Jarrell: How did you become involved with Salud para la Gente Clinic?

Mello: There was a group of people working here with the farmworkers. They came to Sacramento, about two busloads of them. They made an appointment and wanted to talk about health care. I was not really prepared to know just what their goals were, but I agreed to meet with them. So we went in my office; they had different spokespersons and translators. They got to talking about what was happening with the present health delivery system. The county was running the clinic out on Freedom Boulevard. Formerly it was up the hill at Watsonville Hospital. It was a 9 to 5 operation. Number one, they weren't open late enough because many of the workers were in the fields until 6 or 7 o'clock. They

lacked bilingual personnel to understand just what the problems were with the farmworkers' families, and they lacked outreach programs to try to meet the health needs of the people. This primarily was serving a farmworker community, a Mexican-American population. So they came up and said they wanted to have their own health care clinic.

At first I thought, why have a duplicate service? It costs money to run a clinic. But in talking with the county for them, you could see that they weren't willing to change. Bringing in bilingual people meant that some people who were not bilingual would lose their jobs. So the county was kind of reluctant. They said well how about if we stayed open one night a week? This went on for awhile. It was sometime between 1977 and 1982, probably closer to about 1980. So I had my staff call up the Secretary of Health and Welfare Services, Mario Obledo, who was Mexican-American. Governor Jerry Brown had appointed him head of this agency, an $18 billion dollar a year operation in those days. We said we have a group of farmworkers, and wanted to know if we could come on over to his office, and would he be willing to answer some questions and hear their proposal. We went over there. It was about two blocks from the capitol, in the health department. I briefly explained to the secretary why they were meeting with me. Some of their spokespersons talked about the clinic and what they needed, the needs for health care, and how the present system did not reflect the hours of operation, the outreach and the bilingual part. He said he would try to see what he could do to help. He would try to get some money, and establish a demonstration project.

About a week or two later he called up my office and said all right we're going to get started. So that's when they formed the Salud para la Gente. They opened up on Alexander Street by East Beach and Alexander and they were there several years. In fact they were there during the earthquake in 1989. Later they moved across from the Veterans Hall on Beach Street. That was the start of it. Once they got going they had almost an unlimited amount of clients coming in. They eventually got status as a real health provider, so they could get paid by health insurance companies. Some had none. But they were getting paid by different health plans, by MediCal and by special grants that were set up.

They started out very small but in no time flat they became a several million dollar a year operation. During the earthquake they took care of a lot of people who were displaced from their homes. The earthquake came and went, but more importantly, I think, is the day-to-day health care that they've been providing for close to twenty years now. Now they're a big operation.

But that's how it started. It started by people going to Sacramento, petitioning the government, and having somebody listen to them and then knowing which way to point them. I took them over to the top guy in the administration, Mario Obledo. He was very sympathetic. He went all out to try and help them get started. From that initial grant, I don't know how much money they got later on, but they kept expanding. They never did reach a point where they were rolling in dough. They were always running short because the providers wouldn't pay on time and the people working

there have to be paid on a weekly or a monthly basis. At first I had quite a bit of contact with them. Once they got on their feet they brought in an executive director who got off to a good start and was able to run it in a more professional way. They're a real success story. One time I went and told them that. They didn't know how it got started, the initial money and everything. There were no minutes taken and nobody wrote down what happened. But I briefed them on it and they found out just how it got started.

Jarrell: It's very interesting because several years ago I met with a group of UC Santa Cruz students in Professor Pedro Castillo's class who were doing oral histories of different Watsonville developments. They did a series of interviews with people who had been at the Salud clinic right from the beginning. They compiled a series of oral histories to write a history of the Salud clinic. But I didn't know your part in it, that you were one of the people at the very beginning who got the demonstration project.

Mello: No doubt they would have gotten it started. I was driving through Castroville yesterday, and I spotted this little building. It said Clinica de Salud. It's another program. Salud was the first one. I think it was a showcase demonstration of what could be done and others followed. One got started in Salinas shortly thereafter, and in other parts of the state as well. Now they've got them all up and down the state. I think Salud has met the special needs of its clients. They have unusual hours; they were open weekends sometimes, and they had enough bilingual people there to find out just what the health needs were. Without bilingual staff there is a

lack of communication if you talk to people who are not comprehending English. How are you going to find out what's wrong with them unless you have a translator, unless you can communicate in their natural language to find out where the pains are, what's hurting them. The patient has to be able to tell what the problem is so that the attending physician can then hope to diagnose it.

Bilingual Education

Jarrell: Well that's a nice segue into the next topic. I wanted your thoughts on bilingual education. You've just given me a good opportunity to move into that area. How did you become involved with this issue?

Mello: I became involved in 1977 when we passed a bilingual education act authored by Peter R. Chacon. They were using the term bilingual education so you'd have a dual track. I supported the bill. Almost immediately busloads of people came to Sacramento protesting. They didn't want their child in a class where they were speaking another language. They wanted them to learn English only. There were a lot of conflicts. I got interested to the point where I asked for and got a Select Committee on Bilingual Education that I chaired. I got two bills. The 1987 Chacon Act expired; it had a ten-year life to it. When it expired there was nothing on the books.

Jarrell: What were the provisions of the Chacon bill?

Mello: Well it didn't really spell out strongly the emphasis of people to teach English, but it said bilingual education will teach them to speak their

native language and English better, and they would go on this track. I think the most controversial part of the bill was the requirement to do an inventory of how many limited proficiency students there were in a class, and how many non-English speaking students there were. If you had ten students who didn't speak English, you had to have a bilingual class. If your English-speaking child is in that class but doesn't want to participate the parents have no option. That really brought a lot of criticism.

After that time there was a lawsuit brought, Lau v. Nichols. It went to the U.S. Supreme Court. It just happened that Lau was not Mexican. Lau was Chinese and sued Nichols, who was the superintendent of schools in San Francisco, about having the right to be taught to learn English through their natural language. The Supreme Court ruled that all people are entitled the right to learn English, and if they learn through their natural language then that must be done.

When the Chacon Act was terminated the funding kept coming through from the federal government based on this lawsuit. That money went to the State Department of Education and then it was parceled out to districts, but we were sort of in limbo because we were without a mandate in state law. We didn't have a mandate that said to teach bilingual education and have a certain methodology. Some people who were against it didn't even want to have a bilingual class. Others, like Watsonville, Salinas and many other areas that had ethnic populations went ahead with the bilingual classes.

Right now there are eight million Latinos in California. The Asian population is a couple million and then you have many others where English is a second language. We have some two million people in 1998 in the public school system, or not quite 1.4-1.5 million students, with limited English proficiency. Where I come down, is, are they going to learn English fluently or proficiently? The difference is, if you can learn a language proficiently then you can enter the core curriculum in the school system and then you can have access to the sciences, medicine, law, the professions and the more difficult types of courses where you couldn't even begin to have access if you just speak fluently. I think I'm fluent. I'm fluent in Portuguese. Probably to a certain degree in Spanish.

In the current arguments about bilingual education, they want to take away the proficiency part and use immersion programs. Many children have parents who speak the more peasant type of language, and they don't try to motivate their children into reaching out for a better education and picking up the skills and achieving. If they can't understand their own natural language very well then you can't teach them the toughest language in the world, English, and expect them to become proficient.

In the debates that came up, some asked why do children have to be in this bilingual program for six years? Or why do they have to do it in four years? They say you can learn to speak another language in two or three months! You can go to another country and say I want a loaf of bread, or I want a room for the night, or where's the park and so forth. But in order to go into the university and say I want to learn high tech or I want to learn

something in computer programming or I want to learn the sciences or astronomy or things like that, they're not going to make it unless they can understand English proficiently.

Fluency in a language is different from proficiency. One legislator was anti-bilingual education. He said, "Look Henry, you can put 34 kids in a class with one teacher and pull up an orange and have them say this is an orange; then you recite that orange in 34 different languages. They learn how to say this is an orange, this is an apple, this is a banana." I said that will hardly get them up to a proficiency stage of learning a language. When you send them to the classroom to learn about the sciences they're not going to make it. Because you can't do that. You have to have a teacher and a controlled class of 12-15, a good ratio between the teacher and the class. And my goal, you notice when I talked about my two bills, I didn't talk about bilingual education.

Jarrell: What did you talk about?

Mello: I talked about English proficiency. Learning English. I'd get before hostile groups and I'd say I'm not for bilingual education, to track people in two or three languages. I want them all to learn English. What could be more apple pie than that?

The argument really is are we, a multicultural, multi-ethnic nation, with strong ideals about America, going to extend those privileges to everybody and encourage them to participate in education? Are we going to make education available to everybody to achieve their goals and dreams and

aspirations by giving them the tools to work with? That includes the ability to speak the language proficiently so these students can enter our institutions of higher learning.

Jarrell: To back up a bit, you said that after the Lau decision was implemented there was a statutory limbo at the state level. So you had two bills on bilingual education.

Mello: The bills set forth the goals of English-proficiency. They were both vetoed, one by Governor Deukmejian and one by Governor Wilson.

Jarrell: There are all kinds of federal laws pertaining to bilingual education. In order to obtain funding, school districts have to have bilingual programs. What was the upshot then? Was there just a statutory vacuum for a long time?

Mello: Well there was a statutory vacuum, and then Proposition 227 came along with its methodology of how to teach bilingual education, which was really designed to wreck the bilingual education program, and put in its place this quick fix type of . . . which, going back to the Ramirez report[7] and others, really hasn't shown that it's the way to go. What's happening since Prop. 227 is that schools with high ethnic populations, like Watsonville, are petitioning now to have charter schools. That's allowed

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[7]David Ramirez, et al. "Final Report: Longitudinal Study of Structured Immersion Strategy, Early-Exit, and Late-Exit Transitional Bilingual Education Programs for Language-Minority Children." San Mateo, CA: Aguirre International, 1991.

under state law. The courts have ruled that charter schools are not bound under Prop. 227. But you have to have the support from the parents, children and teachers to do that. Several areas are now petitioning to become charter schools. That's another way around it.

I don't know if you can ever win the argument with the vast population we have because they argue with me a lot. They say let them learn English. English only. When they came up with this English only argument, I said now the way this reads here it says all official government contracts and information and correspondence and everything has to be in English. I said well, we'll have to change the name of Santa Cruz, and Salinas and Monterey and San Francisco and San Diego. They said no, no, no. I said wait a minute, read what it says here. Santa Cruz is not English; it means Holy Cross. San Francisco means St. Francis. Do we change those? No, no, no they say. But I say well that's the way this reads; it says English only. It's a legal document. So you have to carry it to a higher level of absurdity. I don't know if they'll ever realize how absurd this is, what they're trying to do.

Jarrell: How do you account for the fact that Proposition 227 passed so strongly?

Mello: It's hard to explain. I had a dozen or more hearings on my committee up and down the state. We always had a good following. The antis were there and they wanted to be first in the program. The immigrants who came here and learned English said, well, why can't others do it? It's hard to explain to people. I think we should all strive for a

higher level of learning and achieving so that people can really make their mark in life. I also think people voted for Prop. 227 because they felt threatened.

Jarrell: By what?

Mello: By people speaking another language in America, where English is our natural language. They feel threatened. I think they feel that some of these non-English speaking people come from a different social standing, are peasants, are poorly educated, and why do we go way out of our way to try to elevate them? That's how many people feel. Their kids learned and went to Stanford, went to university, they might say. I think they get influenced by this quick fix, this easy way to teach language through immersion or through some other system where the achievement goals are much lower than real proficiency. They are down to a fluent level of speaking. I think that's a big part of the equation.

Jarrell: Do you see any connection between Prop. 227 and the earlier passage in 1994 of Proposition 187, which was again, dealing with immigrants? There's woven in there an anti-immigrant feeling amongst native-born Anglos, let's say. Do you see a connection?

Mello: I think so. We had the highest percentage of immigration around the turn of the century. My father came in 1906. In those days the percentage of immigrants here was a lot higher based on the total population. But now, as second or third generations have become more Americanized, they look around and say hey, you know, all these

immigrants are coming here. A lot of people want to tighten down on quotas. Personally, I feel there are too many people coming here undocumented. I think we've been too lax in patrolling our borders. Look at the people from Cuba who've come into our country and we've just let them come in around Miami, and now in Florida there's a big Cuban population. The government says well they're fleeing Communism. Why not open our arms and welcome them?

Jarrell: To move back to Prop. 227, the defeat of bilingual education in the state of California, and this kind of anti-immigrant backlash that's been taking place, how do you see that working out? When you and I were talking several weeks ago we were saying that ethnic minorities are going to become in aggregate the majority population of the state of California in the not too distant future. So there's this kind of heightened, I call it xenophobic, discriminatory attitude. I think this bilingual education issue is a piece of that. Do you think so?

Mello: Yes. It's a piece of it. Once people live here with legal status, a lot of them don't want other people coming here. But I've talked to a lot of people who've been here awhile, second, third, fourth generation; they just want to shut down the gates of America and not allow any more people to come here. I think we're still the land of opportunity but we're getting an awful lot of people. The people who come here as immigrants, even the ones who are smuggled in in the back of some truck, are willing to work hard for a lot less money. In many businesses in California, such as sweatshops, undocumented aliens are working there, a lot of them are

getting paid in cash. That's wrong. I think it's an accumulation of all those practices that pit people against that segment of the population. Even when the population of minorities gets to fifty five or sixty percent, I don't know whether they are going to throw out the welcome mat to other immigrants or not. I just don't see that coming. I think they're going to say, hey, enough is enough.

Jarrell: We have an increasingly high percentage of older citizens; we're not replacing ourselves at a rate that would meet the needs of our labor economy. Most families are very small and they start them later. In order to keep meeting our labor needs, without immigration we never could do it.

Mello: Yes. Well that's true. A lot of the jobs are hard jobs. A lot of the farmworker jobs are just tough, back-breaking jobs. Some of these crops that you have, stoop labor is difficult, and these people coming in here, because in other countries you work hard for an awful lot less than you work here, you don't have the worker benefits, the eight-hour day and the overtime pay. You just work sunup to sundown for very low wages. So they get over here and they can work and get a lot more money out of it. That's a real important factor.

The other thing, today there's about 3.1 or 3.2 workers for everybody drawing Social Security. In a very short length of time, the year 2020 or something like that, we're going to be down to 2 workers for every person. If somebody draws $1600 a month in social security, which is the upper end of the range, and you get down to two workers . . . that means each of those has to put $800 of their money, in order to keep the system solvent.

Right now we've got three. Using the same factor three of them are paying $500 a month. The figures get staggering when you get down to 1:1. My goodness, I don't know what's going to happen then. We just have to come up with a better system for Social Security. Because as you point out, we are living longer, a graying population. The baby boomers are coming in, 2009, 2012. There are some very important and tough decisions that have to be made on Social Security in a very short length of time.

Thoughts on the Future of the Democratic Party

Jarrell: What are your thoughts on the future of the Democratic Party? Most specifically in the state of California.

Mello: Well I think no party can really, traditionally look back and say we are the party of the people, and go back to the days of Thomas Jefferson. Because all kinds of things happen that influence where a party is heading. Watergate, I think, is our most recent experience. When Watergate came about and President Nixon was found to have been involved in the break-in of the Democratic National Committee that brought about his resignation from office. The very next year, the next election, the Democrats regained control of Congress and won with big majorities, including governorships. Because people just thought that the Republican Party had let them down. But every party gets exposed to that same pitfall. Right now with the current situation with President Clinton and his admission of having an improper relationship with Monica Lewinsky after having said that he did not, he misled the people, lied. Whether or not that's going to impact on the people in the voting booth or not . . . right

now the polls show that his job as president is very well supported by about 68% of the people. They want to keep him there even if he lied under oath, because the economy is the main factor that's keeping the president in a strong position, even though the polling on what he did personally has lowered his support dramatically. What's holding him up is the economy. If the economy goes sour in the next two years the Democrats are in for a tough time. If the economy stays strong and if Clinton gets out of this mess, if Congress censures him but isn't able to impeach him, how that will wash over time . . . I think in time the economy will have the greatest influence in how people's reactions will be.

I don't think any party is safe from these external forces that affect the direction the party is going. If people feel fed up with the Democratic Party they are going to vote Republican. If they feel fed up with the Republican Party they will vote Democratic. And the other thing that's happening, gaining more strength, is independent parties.

Jarrell: Yes, I was going to ask you about that.

Mello: They're on the horizon. A lot of people we had in Sacramento . . . Quentin Kopp ran as an independent. He's very successful. He got elected twice. He made a good contribution there because he was not beholden to anybody. He just went about and did what he thought. He was very independent. He fit in that quite well. On a national level, the parties are too strong, I think, for independents really to get too much of a foothold. Like the Green Party . . . what's happening in California are these minor parties getting on the ballot are able to siphon off votes. The Green Party's

environmental goals . . . they're able to pull enough votes, and the Peace and Freedom Party, away from the Democratic candidate and that gives a great majority then to the Republican Party if they have a good candidate. So these are the factors that are happening. I think the Democratic Party, if the economy holds well, if they can come in and come up with a solution to Social Security and health care problems, and ways that we can assure a health delivery system that will cover nearly all Americans, as many as possible, children as well as others, and Medical, and then continue the job, the history that we've done for the last five, six years, the Democratic Party has a good chance in the year 2000 and even in 1998 of picking up some strength. But if things start swinging, with these low prices from Asia and Russia and around the world, stock markets are going down and countries devaluing their monetary funds, that could have a devastating effect on the American economy. So you just can't sit back and say well the Democratic party is the party of the people and they're going to run forever. Or the Republican Party is more for independents and getting government off your back and self-sufficiency and they're going to stay in.

Jarrell: Well, Senator Mello, I want to thank you very much for participating in these interviews.

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