Nevada Legislature Oral History Project

DONALD R. MELLO

Democrat

Assemblyman, 1963 – 1982
Senator, 1982 - 1989

FEBRUARY 26, 2008
CARSON CITY, NEVADA

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PROJECT INTRODUCTION

The 2007 Nevada Legislature approved an appropriation for a project of conducting oral histories with former state legislators, and in the summer following the conclusion of the session, the Research Division of the Legislative Counsel Bureau (LCB) conducted a competitive bid process to identify and obtain a contractor to carry out the project. A committee consisting of LCB and other state personnel with expertise in Nevada history and politics evaluated and ranked the proposals received. In January 2008, a contract was signed between LCB and Get Consensus, LLC, for an 18-month program.

Administered by Donald O. Williams, Research Director, and coordinated by Amber Joiner, Senior Research Analyst, the Nevada Legislature Oral History Project consists of video- and audio-taped interviews, which have been transcribed, edited for readability, and indexed. An initial list of suggested interview subjects had been presented to the Senate Committee on Finance when it considered Senate Bill 373, which proposed an appropriation for the creation of an oral history of the Nevada Legislature. Using that as the starting point, LCB staff considered several factors—such as age, length of legislative tenure, contributions to the State of Nevada, and whether a formal oral history of the individual had been published or was underway—when identifying the former legislators who would be interviewed. The final list provided to the contractor revealed a careful balance of legislative house, political party, and geographic distribution among the interviewees.

After LCB staff acquired the written permission of each subject, the contractor would proceed with scheduling the interview at a time and place convenient for the former legislator. Each interview was simultaneously filmed and audiotaped. The audio recording was transcribed verbatim and then edited by the contractor for readability. Each interviewed legislator was provided the opportunity to review his or her edited document, and any misstatements or errors in the videotape were corrected in the text. The contractor produced three copies of each final product, which includes the text and a DVD of the interview film. Copies were presented to LCB's Research Library and the State Library in Carson City; the subject legislator also received a copy of his or her interview. The repository of record for all digital film and audio files is LCB's Research Library.

Together, these interviews make a significant contribution to the annals of Nevada politics and provide incomparable context to the state's legislative history. The official legislative record outlines the chronology for actions taken by Nevada's lawmaking body; these oral histories vividly portray the background and circumstances in which such actions occurred. Invaluable for understanding Nevada's politics in the latter half of the twentieth century, these interviews present interesting explanations, entertaining stories, and thoughtful observations that might otherwise have been lost.

Donald R. Mello
February 26, 2008

DONALD R. MELLO

On Tuesday, February 26, 2008, Don Mello sat down with Dana Bennett in room 3143 of the Legislative Building in Carson City, Nevada, to talk about his long tenure in the Nevada Legislature. Born in Owensboro, Kentucky, in 1934, Mr. Mello moved to Sparks, Nevada, with his family when he was 11 years old. He graduated from Sparks High School in 1953, began his railroad career in 1955, and married Barbara Jane Woodhall in 1956. They raised two sons, Don and David, in Sparks and lived there for several decades. At the time of this interview, Mr. and Mrs. Mello resided in Dayton, Nevada.

Mr. Mello's legislative career began on December 26, 1963, when the Washoe County Board of County Commissioners appointed the young railroad conductor to replace Chester "Chet" Christensen at the ensuing special session. Mr. Christensen had represented the Sparks area in the Nevada Assembly from 1948 until his election as Sparks Mayor in June 1963. In reporting the Mello appointment, the *Nevada State Journal* noted that the new Assemblyman was "a lifelong Democrat" whose political philosophy lay "somewhere between conservatism and liberalism." Mr. Mello clarified for the reporter, "I guess I could be classed as rather conservative."[1]

Standing for election as an incumbent in 1964, Mr. Mello became one of three Democrats in the nine-member delegation from Washoe County to the Nevada Assembly. At that time, candidates ran at-large in districts that were contained within each county, so on Election Day in 1964, Sparks voters were asked to choose two Assembly members; Reno voters, six; and rural voters in the Roop District, one. For the first time in many years and to the shock of the Democratic Party, the Reno voters chose all Republicans. One of the local newspapers opined that any Democrat who wanted to win in Reno should "be a top candidate [and] work like a beaver."[2] Although Mr. Mello represented nearby Sparks, which tended to lean toward the Democrats, his oral history vividly illuminates the hard work and sacrifice that went into winning a legislative seat and effectively representing a legislative district.

In fact, Republicans often found themselves in the minority during much of Mr. Mello's legislative tenure. Of the nine regular sessions in which he served in the Assembly, the Democrats controlled seven. His four sessions in the Senate were split: the first two controlled by the Democrats; the last two, Republicans. In addition to these 13 regular sessions, Mr. Mello served in six special sessions. His final regular session was in 1989, but he did not participate in that year's special session, having resigned on October 1, 1989. In this interview, Mr. Mello explains his reasons for retiring and stresses that his decision was not related to the legislative retirement bill that had passed during the regular session and spurred the special session that year.

Mr. Mello is best-known for his long chairmanship of the Assembly Committee on Ways and Means from 1973 through 1979. As the chair of this important committee, Mr. Mello introduced new methods of budget analysis and irrevocably enhanced the committee's scope, shape, and function. An expert in legislative process, Mr. Mello discusses many of his committee

[1] *Nevada State Journal*, December 27, 1963.
[2] *Nevada State Journal*, November 6, 1964.

innovations in this interview. He also shares his observations about many of the people with whom he worked during his tenure, particularly Russell McDonald, the legendary Director of the Legislative Counsel Bureau. Additionally, Mr. Mello discusses many of the crucial issues in which he was involved, such as Rancho San Rafael Park in Reno, Sparks redevelopment, the advisory question on the Equal Rights Amendment, and an increase in the gaming tax. He also reminisces about moving the Legislature from the Capitol Building to its current facility and establishing a program for artwork in the new building.

This interview with Mr. Mello offers many interesting insights into the legislative sessions during the decades of the 1960s, the 1970s, and the 1980s, a time of tremendous change in Nevada.

Dana R. Bennett
December 2008

Bennett: Good morning, Senator Mello.

Mello: Good morning.

Bennett: We are sitting in a committee room in the original Legislative Building, and it has an unusual configuration with a little bit of a horseshoe. I understand you may have had something to do with the shape of committee rooms.

Mello: Yes. I started that because my committee was nine members, and then it went to 11. The table was straight, and I couldn't see my members to see if they were asking questions legitimately or playing politics. I liked to call on them when they raised their hand, and I didn't want them to speak until I called on them. To be able to see them, I had to turn the table where it went at an angle. Then it came off at the end like this here [gestures] for the staff at one end and the reporters on the other end.

Bennett: That was the Assembly Committee on Ways and Means?

Mello: Yes. It was the first.

Bennett: You were all on one level rather than the two levels that we see in this room. So the reporters sat at the end of the table with you?

Mello: At the end—such as right here, this configuration [gestures] and then staff on the other. Now on one side of me, I had the Fiscal Analyst and on the other side, a secretary, and then the committee members.

Bennett: Let's go back a little bit more to your very first session—it was a special session. It's January 20,

1964—a snowy and windy day—and you're walking into the Assembly Chambers on the second floor of the Old Capitol Building. Do you remember what you were feeling that day?

Gov. Grant Sawyer called the Legislature to address a myriad of issues. The 1964 Special Session ran from Jan. 20 to Feb. 5.

Mello: Yes, I was feeling a lot of pride being able to represent the people of our state, and I was concerned about whether or not I would do a good job. I guess that would be natural. Wondering what legislation, if any, I would introduce the first session because I really didn't know the process. You learned the process as you went along. There's no pre-orientation like they do today.

Bennett: Who were some of the people who helped you learn that process?

Mello: Well, I would say, the book of rules. That's who really taught me was looking at the rules. William Swackhamer—he was the Speaker—Vernon Bunker, Austin Bowler, Jim Gibson, Ray Knisley—there were a lot of them. All very, very bright people.

Bennett: Do you remember any of the advice that they may have given you?

Mello: Yes, and I don't know how you would accept this because it took me a moment to understand it. The first person that talked to me said, "The one thing I don't want you to do when you talk to me is lie to me. If you want to go home and lie to your people, that's one thing. But don't lie to legislators." I found it was best not to lie to anyone.

Bennett: So you're in the Old Capitol Building and the Assembly Chambers, which is not very big, and you were there every session through the end of the 1960s. How did the Legislature function in that room?

Mello: With a great deal of difficulty. We had no offices. Our desk was our office, you might say. We had a very difficult time meeting with our constituents, even a more difficult time meeting in the committee rooms because there were more committees than committee rooms. You had to be able to speak loud because there was no P.A. system, so your voice had to go out throughout the chambers. I had no problem with that, but there were those that did. If you had somebody that would stand and speak and you couldn't hear them, the Speaker would say "please speak up" and if you didn't, from then on you just weren't heard.

Bennett: Where was the gallery? Where did people watch?

Mello: As you walk into the chambers, there's a kind of a roof right up above you, a floor. You would look up and that would be the gallery, and it wasn't very big. Very small.

Bennett: What was the interaction like with lobbyists in that situation?

Mello: I'm a strange person to be asked that because I didn't have much to do with lobbyists. I guess maybe I was suspicious of many of them. It took me quite a while to get to know them. Once I got to

know them, I respected them more, but it was very difficult because I would very rarely go out and eat with one of them because I felt if I did, I was kind of obligating myself to them, if that makes sense to you.

Bennett: It does. So what was it like for a legislator after hours—for you, in particular, after hours—when you were no longer in the building and you had time on your hands in Carson City?

Mello: We'd go out and eat, and maybe have a few drinks. I must say, back in those days, it seemed like you spent most of your time at the bars—the legislators lobbying one another and talking to one another about what happened to them during the day, and perhaps what lobbyists spoke to them and what was it about. You asked this question earlier—it was very difficult for lobbyists to talk to legislators back in those days because you had no office. You had no place to meet. If you met in the hallway, the hallway looked like somebody headed for a subway in New York. It was just packed. You'd almost get knocked over the railing when going down the stairs. It was so, so crowded, and you weren't able to really have any kind of a meaningful conversation because of the noise.

Bennett: How did you communicate with staff then? Some staff helped you with bill drafting?

Mello: A very few. Very few. The only one I was able to communicate with was Russ McDonald, who was the head of the Legal Division, and Frank Daykin,

his right-hand man. For a long time, I didn't think there was anyone else working in the bill drafters' office except those two gentlemen. They did most of the work.

Bennett: You had told me a story earlier about Russ McDonald and chatting with him about getting your bills out. Would you mind repeating that?

A Reno native, Russell McDonald was a Rhodes Scholar from Nevada, 1939-40, and graduated from Stanford Law, 1947. He was the Revisor of Statutes, 1953-63, and Legal Counsel and Director of the Legislative Counsel Bureau, 1963-71.

Mello: Well, yes, but I didn't really chat with him. I tried. Russ McDonald had an office with a secretary in it, and right directly across from her was another door to a small room where he sat. You could look over your shoulder—if you could get past his secretary far enough to look—and you could see him above papers stacked sky-high. I was trying to meet with him to talk about two or three pieces of legislation that I had requested, and it was getting late in the session. I was way down on the pecking order, and I was trying to find out if there was any chance for me to find out when these were going to come to my desk. I heard a scraping coming from his desk, and I turned and I looked. When I would look, his secretary would try to get me to turn back and look at her. She didn't want me even looking in there. So I was able to see that he had a tin of pipe tobacco, and he had his pipe in there, and it was scraping. I realized that he must be out of tobacco, and I could see the name of the tobacco. Down on the corner from the Capitol Building was a tobacco shop, so I ran down there as fast as I could and bought him a tin of tobacco, came back up with it in a bag,

handed it to his secretary, and asked if she could get that to Russ as soon as possible. She assured me she would, and within an hour, I had my three pieces of legislation delivered to my desk. [laughter]

Bennett: Russ was involved with legislative staff for—

Mello: Many, many years. He became the director, eventually, but Russ McDonald was a very unique type of person. He was a true Nevadan. He was a Rhodes Scholar. He could talk to anybody about anything. One night, we went out and had dinner together. It was cold—of course, you know we meet in the winter—and here was a gentleman that was having hard times. He'd probably had a few drinks, and he's sitting on the curb. I started to walk by with Russ, and the next thing I know Russ is not beside me. He's sitting on the curb talking to this gentleman. So I went back and sat on the other side of him to hear what was going on. He carried on quite a conversation with this gentleman. It didn't matter whether you were a banker or a railroader or a bricklayer, Russ could talk to you.

Bennett: Let's back up a little bit and talk about how you got into the Legislature in the first place. You were appointed to replace Chester Christensen who had been elected mayor of Sparks.

Christensen served in the Assembly, 1948-63 and 1974-76. He was Speaker in 1959 and 1961 and Sparks Mayor, 1963-67.

Mello: Yes.

Bennett: How did that come about?

Mello: Well, he ran for mayor, and his Assembly position became vacant. I was first told that the Sparks City

Council would make the appointment, so I lobbied the council. After securing their votes, I found out that they didn't make the appointment. So then I had to go off and lobby the Washoe County Commissioners, and it was much more difficult than it was with the council. But I was able to get sufficient votes to get the appointment. Incidentally, I was the first appointee in the city of Sparks that was ever subsequently elected.

Bennett: Really?

Mello: The others were defeated.

Bennett: Why were you interested in the Legislature? Why did you want the appointment?

Mello: As you know, I was a conductor on the railroad. Incidentally, Chet was also an engineer on the railroad. Sparks was a railroad town. There was what they called the "full crew law," and it said how many individuals would be on a train. The company was trying to reduce those numbers, and we felt that it would be a very serious safety problem if they did. So I decided to try for that appointment to come here to the Legislature and fight to keep it the way it was. I was successful. I kept it until, I think, the last term of my office. Then I changed it to grandfather everybody in.

Bennett: Tell me about your first campaign. It would have been after that special session in 1964. How did you become the only appointed legislator from Sparks to be elected?

Mello: By a lot of hard work. My wife and I would stay up at night. I'd come home from a run, and I would make my own signs, paint them by hand, and then my wife and I would go out and put them up. One day we were in a vacant field—I'll never forget this—and my wife is holding the stake. I'm standing in the back of my pickup with a sledgehammer, and I'm hammering that stake down in the ground. A gentleman pulled up in a truck and said, "You know, if your wife trusts you with that sledgehammer, I'll trust you as my representative."

Bennett: That's a great story. I was just thinking she is a very trusting person to stand there with you having the sledgehammer. [laughter]

Mello: You can't stay in politics for 27 years without having a good partner. She would go door-to-door with me; she'd take one side of the street, and I'd take the other. That's what brought up the "none of the above."

Bennett: Let's talk about that. Where did you get the idea for that legislation?

Passed in 1975, A.B. 336 requires the inclusion of "None of these candidates" on ballots for presidential and statewide candidates.

Mello: President Nixon gave me that idea. When we were going door-to-door, I would find more people that knew me and said, "We would vote for you again—or for the first time—but we're not going to the polls." I said, "Why?" and they said, "Because we don't feel that most of the people are worthy of our vote. We're staying home." But I said, "If you don't give me a vote, I may not be back," and they said, "Well, that's the way we feel about it." So I kept a

list, and I asked each one of them if they could go to the polls and vote no instead of voting for someone—just vote no so their vote would be registered—would you go then? I had to go back to many of them. I wrote their names down and their addresses. When I came up with the idea and went back and asked them, every one of them told me they would. When I introduced the legislation in 1975, I had it on everybody's race: "none of the above." My colleagues hated it, but I was very successful in convincing them that we ought to put it on the ballot somewhere. So we put it on state-wide offices.

One of the Supreme Court Justices was running unopposed in 1976 except for "none of these candidates," and "none" got a third of the votes. When he saw me one day after the election, standing out on the corner—I was going across the street to have lunch—he told me, "Mello, I'll never forget you." [chuckles]

1976 General Election
Al Gunderson: 130,332
None: 35,749

Bennett: Nevada's the only one with that particular statute?

Mello: Yes, I've been contacted by many other states, even Canada. A member of Parliament was very interested in it. But California put it on the ballot, and it failed.

Bennett: It did?

Mello: Yeah. I'm surprised that something like that would fail in California, but it did.

Bennett: During most of your tenure, you were Chairman of the Assembly Committee on Ways and Means.

Mello: I chaired a good number of the committees, but I chaired that committee longer than any of them.

Bennett: When was the first session that you chaired that committee?

Mello: I think it was 1971.

Bennett: So you were in the new building?

Mello: Yes. I don't think I told you how this came about.

Bennett: I don't think you did. I think you should!

Mello: Bode Howard was a Republican Assemblyman from Winnemucca, and he came to me one day—we were sitting on the floor of the Assembly—and said, "Don, do you think we've outgrown this building?" I said, "I think we outgrew it some time ago." He said, "We can't meet with our constituents. We don't have any place to have hearings. Many of us are on different committees at the same time. It's extremely difficult." So the two of us went to work on that. Others have taken credit for it, and I found in my years of being a politician that you have to get used to that. But as you can see, we were able to get the building, and if you noticed, the Assembly Chambers is on the opposite side of the Capitol Building.

Bennett: I had not noticed that.

Mello: Yes. The architect, somehow or another, got turned around. [chuckles] By the time we found it, it was too late to do anything about it.

Bennett: Why was the building put where it is? It's quite a ways from the Capitol. When other states expanded their Legislatures tended to stay very close to the Capitol or connected to it. Nevada is unusual in that the Legislative Building is so far from the Capitol Building.

Mello: I can't really tell you exactly why that took place other than the fact that we probably didn't have all the property, but I'm not sure about that. We were able to acquire this property. At that time, I believe that the Melody Club–a bar—was sitting here. The man and woman—I can't remember their names now—who owned it were quite anxious to sell it and retire. If you noticed, though, we have the State Library, which is almost directly behind the Capitol, and the Supreme Court. I don't know if there was anything in the plans to be able to have something between the two buildings or not.

Bennett: So 1971 was the first session in this building, but it wasn't completely built at the time, was it?

Designed by Reno architectural firms Ferris & Erskine, Vhay & Ferrari, and Raymond Hellman, the new Legislative Building opened with a public ceremony on Tuesday, June 9, 1970.

Mello: No, we were here before 1971. I think 1971 was when I became Chairman of Ways and Means. The first session I was in this building, I introduced the tips bill.

Bennett: Tell me about the tips bill.

Mello: The tips bill was a major piece of legislation, and it was a sleeper. Most people it affected didn't really know about it. One day the phone rang, and a gentleman on the other end of the line said, "I'd like to talk to you about the tips. I'm giving them to my employer. I'm not really being paid."

A.B. 353 (1971) makes it unlawful for private employers to take employees' tips or to apply them as credit toward payment of the minimum hourly wage.

Bennett: You mean someone who was working in gaming?

Mello: In a casino. He was a bellman. He was 81 years old and weighed about a hundred pounds. I met with him. By the time his tips were calculated towards the minimum wage, he almost owed his employer money. They used to have to have a sign clearly marked that tips would be applied to the minimum wage. I introduced legislation to put a stop to that, so the employees received their tips. They're theirs unless they want to share them with other employees, such as in the same class of service.

Bennett: When you talk about some of the legislation that you've gotten through, like the tips bill and "none of the above," were there certain legislators that you worked with most closely on your legislation?

Mello: Yes, Speaker Dini and I roomed together for some time, and we worked very closely together. To give you an example: one day, things were slow on the floor, and I was walking from my desk out of the Assembly Chambers, and Joe walked up to me and said, "Don, I let a bill through here from the Senate last session that affected the Virginia City Historical District. I just saw my constituents last night, and they were hostile. I have to have Virginia City—it's

in my district—to get re-elected, and I don't know what I'm going to do. Is there any chance you can help me?" I said, "Well, I'll try, Joe." So Russ McDonald and I had dinner together, and we talked about it. Come to find out, Russ had advised the Senator (who had the idea in the first place) that it wasn't a real good piece of legislation and that it would irritate the people in Virginia City, which it did. It turned out Russ had a house there. So it meant something to him, too, that it be drafted properly. He redrafted the legislation and sent it to me, and I gave it to Joe. He passed it, and it saved him. He was re-elected. [chuckles]

S.B. 286 in 1971 and A.B. 476 in 1973 made various changes to the Virginia City Historic District.

Bennett: Let's talk about Ways and Means a bit. You made some radical changes, essentially, to that committee when you became chair. You talked about the configuration of the table. What were some of the other things that you did?

Mello: I developed a backstop for the budget. It was quite big, and the top of it would move like this. [gestures]

Bennett: So it was like a piece of furniture?

Mello: Yes. It had stoppers on the bottom of it so it wouldn't slide. Then you could put your budget book like this [demonstrates], and you could read the pages on the left and on the right. It was very difficult to be able to hold it up, so the committee enjoyed the new backstop. I also am the one who developed the bill explanation book. We have staff who are professionals. Legislators are not—at least

not in this state because we're considered part-time legislators. Staff would write up a bit about the legislation that came out of the committee so any one of my members could stand up and address the bill on the floor. It was very successful. Other committees, I understand, since then have gone to the same thing. I also created the Fiscal Analyst's Office. I did that because, before I became Chairman of Ways and Means, I served as a member, and Ways and Means did not fare well with Senate Finance. What I mean by that is you have differences between the two committees, and sometimes they are major differences. We would go into conference with the other committee and fight it out, head-to-head, and we'd lose. So I told myself if I ever became the chairman of that committee, we were going to make some drastic changes, and we were going to start winning these key issues.

The only way that I could see to do that was to be able to keep the committee seated. Before, committee members would get up and walk the halls while you're having hearings, talk to the secretaries and whoever they could talk to—lobbyists, maybe. So I told them when we first met in the first session, when I was Ways and Means Chairman, that all that was going to stop. I put a coffeepot in the committee room, so there was no excuse of going out and getting coffee. The only telephone calls that they could receive were from a family member, if it was an emergency, or the

Governor. If they didn't hear from either party, they stayed where they were.

Do you know that I didn't have a complaint from any of them, except one day Speaker Keith Ashworth came in. He was standing with his back against the wall, and I finally stopped and said, "Mr. Speaker, do you want to talk to the committee or any members of the committee? Then we'll have a recess." We had a recess every hour for five minutes. He said, "Yes, I'd like to talk to you, Mr. Chairman." So we sat down at the witness table, and he said, "I've had two complaints from your committee that you're a slave-driver. You have a hard hand, and you're not letting them leave." I said, "That's right. You appointed these people, I think, to do the people's work. Everybody wants to serve on the money committee. The closest things to our constituents' hearts are their families and their money. If they're not in here to make the right decision for them—if they're out in the halls—they can't represent their people. I've already mentioned to the committee members, 'If you don't want to do the work, then I suggest you find another committee.' Not one of them, Mr. Speaker, has told me that they wouldn't abide by my rules." He said, "Well, I'm not going to try to change them," and he got up and left. [chuckles] Later I found out who those two people were; they didn't tell me, but I found out who they were.

Assemblyman Ashworth (D-Clark, 1966-76) was Speaker in 1971 and 1975.

Bennett: Did they stay on the committee?

Mello: Oh, yeah, sure. They were good members. They weren't accustomed to this. This was brand new. Incidentally, after my first session as the chairman of Ways and Means, we won 97 percent of the differences with Senate Finance.

Bennett: The Ways and Means Committee did?

Mello: Yes. We turned it totally around.

Bennett: What did the chairman of Senate Finance think?

Mello: Floyd Lamb. He wasn't real happy, but many of the members on his committee were pleased because we were well-prepared. I set up subcommittees, and I'd give them a budget. I got the Speaker to allow us to have three days off during the session, and my subcommittees would do their work, and then they would report to the committee. We'd still receive the testimony as a group, and we were extremely successful in doing that. One of my members was driving in from Reno to come to the meeting—we started early, seven or eight o'clock—and he got a ticket. When he got here, he was telling somebody he was a little late because of the ticket and that he told the officer, "I'd rather have a ticket than a chewing by Chairman Mello. I've got to get there." [laughter]

Senator Lamb (D-Lincoln, 1956-83) chaired the Senate Committee on Finance, 1965-83.

Bennett: Tell me about the development of the Fiscal Analysis Division.

Mello: It changed the whole process around. It finally made the Legislature on an even par with the executive branch of government. The budget

director and department administrators had already worked out what they were going to request, and that's what you saw in the budget. As a legislator, you had no way of saying, "Well, I don't think this is the right amount," or "Could you really use some more money other than what the Governor's offering you to do a certain project?" I used to ask that. But we had no way of finding this out.

A.B. 271 (1977) creates a separate Fiscal Analysis Division in the Legislative Counsel Bureau.

So that's when I decided: let's get a Fiscal Analysis Division in the Counsel Bureau. They would go out and sit when the Governor was getting his budget ready with the director and administrators. The Fiscal Analysts wouldn't say anything, but they'd write everything down—what was being requested, what wasn't wanted. Then when budgets came up, the Fiscal Analysts could tell us, "They didn't say this when they met with the Governor's Office, they said *this*." So we were now on an even par with the executive branch, if not above them. The first meeting I had as the chairman, I picked up the budget—always in the past it was the Governor's budget, and it remained the Governor's budget clear through the session—I picked it up, and I said, "This is the Governor's budget. [slams notebook down] Now it's ours." That's the way we worked from that moment on. We changed it however we saw fit. We had to justify it, and we would.

Bennett: So when the division was created in 1977, was it the plan in the beginning as it is now to have an Assembly Analyst and a Senate Analyst?

Mello: It was the same. The law was that the fiscal analyst was in the Research Division, and I separated that. I put them apart because they shouldn't have been together, and it was easy at the time. I think a lawyer just slipped it in there, thinking, "Well, let's put them here because we don't want them with us in the Legal Division." So I think that's the way that came about, but we took care of that. Incidentally, when I created the Fiscal Division, I called up one of the Governor's people in the Budget Office and asked him if he would come to work for us. I said, "I'll give you a 10 percent pay raise if you do." The phone hit the desk, and he was standing beside me within minutes. [chuckling] Stole all of them. The other thing is that the legislative branch is the only branch of government where the public employees are paid overtime.

Bennett: Was that the case throughout your tenure, or was that something that changed?

Mello: Yeah, it's the way it always was. The reason for that was we didn't have a big staff, and the people had to stay here and work almost all night trying to take care of requests because, in many instances, those requests appear during the session. It's not as though they could work on it before. They do work on a lot of requests before, if a legislator knows what he wants. But when you're in session and the

committees are meeting, things come up. In testimony, people say things, and it makes you want to find out if this is the way it should be or if it should be another way. So you'd call up Research, and they would research it. Call up the Fiscal Analysts, and they would take care of it. Then you'd go to Legal, and so forth.

Bennett: We've talked about Russ a little bit and a little bit about Frank. Were there other staff members that stand out in your memory that you dealt with?

Frank Daykin was Legislative Counsel, 1965-69 and 1977-85.

Mello: Yeah, John Dolan, he was my first fiscal analyst.

Bennett: The one who came from the Governor's Office?

Mello: Yes, he came from the Budget Office; he was the assistant to the Budget Director. Bill Bible—his father was United States Senator, and he's now a lobbyist for the gaming industry—was the Budget Director and very, very bright. It would be hard to say which was the brightest between Bill and John because they were top-notch people, and they cared. They did their job 100 percent. It was never 95 percent, 97. There were so many of them we brought over, and they were all superb. I can't remember—I have to say this—I'm not the best with names. It's been twenty years since I served, and there were some in Research that were really good people. I cannot remember the names. I hate to say that on the tape.

Bennett: Well, like you said, it's been twenty years.

Mello: Bob Erickson.

Bennett: The Research Division Director?

Robert E. Erickson was LCB Research Director, 1984-2004.

Mello: Yes. He was very, very good. All of our people have been good, and I hope they still are.

Bennett: I think Nevada has a top-notch staff.

Mello: In preparing for this, I've had help from Amber Joiner, a Senior Research Analyst in the Counsel Bureau, and you can see the work [flips through papers] she has done for me in just a matter of days. I would tell her something that I could remember, and I'd give her a date—I was always wrong on the dates—but she'd find the right one. [chuckles]

Bennett: Going back to Ways and Means, what do you think the toughest issue was that you had to deal with as chair with that committee?

Mello: Boy, there were so many. The prison budget was always a nightmare budget. We'd have good law enforcement officers running the prisons, but we didn't have people that were really accustomed to the bookkeeping and the administration—the day-to-day—even though they were so-called administrators. They would waste more money, but not on purpose. You couldn't say it was an over-sight; it was just usually a mistake. They would finally admit it when you'd get down to the brass tacks that they should have done something else with the money.

For example, the prisoners have their own fund, and the money kind of disappeared out of it one time. It wasn't taken by a prisoner because they

were locked up; it was taken by somebody that walked out the door with it. [chuckles] It wasn't very much money—it was a minor thing—and I think they eventually found out who it was. But their budget is large. I helped create many of the prisons in this system. Along with education and welfare, the prisons are very, very costly to the taxpayers. It costs so much money to build a prison, and I see now they're closing one of them down that we had a very, very hard time starting, and that was Jean. I understand they're closing that down.

Bennett: That's what I've heard as well.

Mello: Should never have been there.

Bennett: Why not?

Mello: [chuckles] Well, that was done by the Senate side. It was a young man (Peter Simon) that owned Jean, Nevada, and he didn't have anything there. We were building prisons and honor camps throughout the state. Do you know how we picked them?

Bennett: No.

Mello: We would pick them if the economy was bad in that area. We'd give them a prison. In many cases, the people in the districts didn't want them, but it brought in money. It brought in employees, who bought gas, bought groceries, rented houses, and all of that.

Bennett: So you were in the Legislature when the tax shift, from property taxes to sales taxes, occurred. Was

that something that would have come through the Ways and Means Committee?

Mello: No.

Bennett: Were you involved in that? It would have affected the budgets that you looked at.

Mello: Yes. The Taxation Committee, a lot of times, just sits. They have some legislation, but for the major legislation, they have to wait for us, and we have to tell them what money we have to generate, if we have to generate any new monies. It's up to them to go out and find it. That's one job I didn't want.

Bennett: Why is that?

Mello: Well, taxing people, to me, is really hard to do. One would say, "Well, you were spending the money," but I was very frugal, and they had to prove to us that the money was needed. If it wasn't needed, we didn't raise taxes, and we didn't spend money unnecessarily. Bureaucrats were my worst enemy. Bureaucrats spend the tax dollars, and many cases they are wasted dollars, and we would prove that mainly through the Fiscal Division. We never could before, but once we created the Fiscal Division, we were able to show where money was going and how it was wasted.

Bennett: You served on some other committees.

In 1965, Assemblyman Mello chaired the three-member Assembly Committee on Federal, Military, and Indian Affairs.

Mello: Yes. One of my first committees was a giant committee. It was Indian and Military Affairs, and I didn't know what in the world to do with that committee. I didn't really know we had any

military, but we did have the Guard, and I didn't have much to do with that.

Bennett: When you say "a giant committee," did you mean in terms of membership?

Mello: No, it was a nothing committee. That's why I didn't know what to do with it. [laughter]

Bennett: You're teasing. [laughter]

Mello: Yeah, a nothing committee. I got assigned to that for my reward for killing the Speaker's bill one day.

Bennett: Now how did that happen?

Mello: It was my first regular session, and I was 27 years old. I saw a bill that Bill Swackhamer had introduced. He was our Speaker; he was a Democrat from Battle Mountain. I was scared to death to talk to him about this bill. I had a hard enough time finding the bathroom without talking to the Speaker about a piece of legislation that he had his name on. I think his was the sole name. There was something about the bill—I can't remember now what it was—but I didn't like the bill. So I did my homework in looking at the rules—*Mason's Manual*—and I came up with a way to kill it. I was hoping that no one would know when I made the motion. As it turned out, no one did know. I got the Speaker's attention; I went to Order of Business Number Eight; and I moved that his bill, A.B. such-and-such, be re-referred to the maker. He stood there for a minute. There was quite a bit of noise on the floor. People are talking while business is going on. All of a

sudden, you could hear a pin drop. I looked around, and now I'm really getting frightened. I'd look at the old heads there, and they're all looking at me, and everybody's looking at one another trying to figure out "what did this guy just do?" The Speaker didn't know what to do, either. He probably should have called a recess and found out what it was all about. But he didn't. He asked for the votes, "All ayes say aye," and it carried. Then he hit the gavel and called a five-minute recess, which was a little late. He came down, and everybody followed him down the hall—now remember, we were in the Capitol Building—and into a small office where Jeff Springmeyer was. He was kind of the parliamentarian and was in charge of Research—a very, very bright guy. I couldn't get into the room because there was so many people. I think everybody in the Assembly was there. So I'm kind of at the back of the line, which I was growing accustomed to, and the only other person that I saw was leaning against the wall, and that was Ray Knisley. He was a Democrat from Lovelock. I could hear them talking, and Jeff said, "Who made this motion?" And they said, "Some young guy from Sparks, and we're not sure what it's doing to us." He said, "Well, it's very simple. It just killed that legislation and the subject matter for the rest of the session." Oh, my word, I'll tell you, I backed off. I started out and this Ray Knisley got hold of me, and he said, "Say, you could work around here for years and never get the attention that you just got. I can

J.E. Springmeyer was Chief Clerk of the Assembly, 1945 and 1947; Legislative Counsel, 1947-63; and Research Director, 1963-68.

tell you that they're not going to forget you soon." [laughter]

Bennett: That's how you ended up on the Indian and Military Affairs Committee?

Mello: Yes, yes. I also chaired Fish and Game; I chaired Transportation; I chaired a lot of committees, a lot of interim committees, and served on just about every committee. One of the Speakers wanted me to serve on Judiciary—Mel Close, Democrat from Las Vegas, a lawyer—and he always thought that I'd be really good on there, but I didn't have any taste for it. He's the one, incidentally, took me off of Ways and Means to put a Clark County person on there.

He chaired Assembly Fish and Game and Assembly Civil Defense and Veterans' Affairs in 1967; Senate Transportation in 1985.

Bennett: Oh, he did?

Mello: He tried to make it up to me by putting me on Judiciary, but I wasn't interested.

Bennett: Obviously, you did get back on Ways and Means.

Mello: Yeah, I got back as a member and then as the chairman. I served under some good chairmen: Roy Young, Norm Glaser—both from Elko and both gentlemen. When I became Chairman of Ways and Means, Roy Young, a Republican, watched me for a while—and he had kind of a unh-unh-unh laugh like that—and he said, "You know, kid, if somebody had told me that you could run Ways and Means and blow the whistle of the train, I never would've believed it. But," he said, "you did it."

Bennett: You've mentioned some of these people who had some effect on you. Did you study *Mason's Manual* every night after the floor session?

Mello: No.

Bennett: How did you learn some of these procedures?

Mello: I started studying it when I wanted to make some kind of a move on the floor, and it got to the point where I could remember. Plus you learn by watching. I think that the best way to learn is by watching others and being able to work with others. I could work better with Republicans than I could with the Democrats.

Bennett: Why was that?

Mello: I don't know. I'm kind of a conservative, fiscally-minded person, and so I was able to work with my Ways and Means Committee on both sides. There was very, very little politics on the committee while I chaired it. I didn't think it belonged there. The money issues should be the same no matter which party you're involved with, and you should look at them in the same way.

Bennett: You mean that there wasn't a lot of partisanship on the committee?

Mello: No, there was not.

Bennett: How about in the Assembly as a whole? Were parties particularly important?

Mello: Yes, they were. There would be a lot of squabbles on the floor, mainly over nothing because, I guess,

some of them didn't have anything to do, so they would start something. The north and south split has been the worst. When I went into the Legislature, the so-called "Cow Counties" had control, and they usually went with Washoe. Then when Clark County started up with the majority, it was some of the Cows with Washoe.

I'll give you an example: I introduced the legislation that created the Thomas and Mack Pavilion in Las Vegas and the Jake Lawlor Events Center in Reno. At 56 million dollars, it was the largest capital improvement program in the history of the state at that time. I introduced it; it went to committee; and a Regent called me up and said, "You know, Don, I shouldn't tell you this but I feel like I have to. They're going to stop the progress after it gets going on the pavilion in Reno and put the money in the one at Thomas and Mack." "Well," I said, "we have money appropriated." "They want it bigger."

A.B. 63 (1979) provides financing for the construction of multipurpose pavilion projects on the campuses of the University of Nevada, Reno, and Las Vegas.

Bennett: You mean in Thomas and Mack? They were going to take money from Lawlor and put it in Thomas and Mack?

Mello: Yes. They wanted to make it bigger, but they didn't have the money to make it bigger. It was bigger than ours, and I say ours here in the north, but they wanted to make it bigger, and the only way they could do this was to take the money from Lawlor, putting it over at Thomas and Mack, and then come back the following session and ask to make up the

money for the one here. So I came up with an amendment, and I stood up on the floor of the Assembly and moved the adoption of it. If the progress on the Jake Lawlor Pavilion stopped, then the one in Vegas would stop. A lawyer, Assemblyman Keith Hayes out of Las Vegas, stood up and said, "I don't understand why this is needed." I told him. "Well," he says, "I don't know what it's going to accomplish because that's not going to happen." I said, "If it's not going to happen, what's wrong with putting it in the bill?" So it went in the bill. And it didn't happen, probably for that reason.

Bennett: When you first came to the Assembly, you were very young, as you mentioned.

Mello: Twenty-seven.

Bennett: And had not served in elected office before.

Mello: No.

Bennett: What surprised you the most about the Legislature?

Mello: Well, it's really hard to surprise me, but I think the one thing is that I kind of had the wrong outlook when it came to lobbyists. As I learned to talk to them and get to know them, I found out real quick which ones I could trust and which ones I couldn't. Those that you can trust will always be there to help you if you need help. The one thing I did learn, though, in the Legislature is that the people that you help the most with their legislation will be the first to forget you. If you kill their legislation or work against it, those people will never forget you.

Bennett: That was your experience throughout your entire tenure whether you were in the Assembly or the Senate?

Mello: Oh, yeah. And you're soon forgotten when you leave, too. [laughter]

Bennett: Of the lobbyists you learned you could trust, who are some of the people that stand out in your memory?

Mello: Jim Joyce. Renny Ashleman. Renny does a lot of the lobbying for labor. Jim was more of a campaign-type person, but he did represent some casinos. Incidentally, I killed most of Jim's legislation that came to me.

Bennett: Really?

Mello: Yeah. I just couldn't support a lot of it, although I did respect him. We'd have conversations about it, and he was always a gentleman about it. He is not one that would walk away and forget you. He would wait for the next bill to come up, and then it started all over again just like you were on an even par with him, you know.

Bennett: Since we're talking about gaming—you were successful after two sessions to increase the gaming tax. You introduced a bill one session and it didn't pass, and the next session you were able to pass what everyone agrees is one of the most difficult types of legislation to pass in Nevada, a bill raising the gaming tax.

S.B. 395 (1985) would have increased each fee based on gross gaming revenue by 1%. Died in the Senate Committee on Taxation.

Mello: When you consider that gaming started in 1931 and it stayed at the same percentage on the gross revenue up until, I believe, 1981—50 years they hadn't had an increase in the gross revenue tax. The Taxation Committee in the Assembly came up with a quarter percent, and it wasn't enough. So I introduced legislation a little later, I think 1985, to raise it one percent, something like that. It died. I couldn't get any support out of them, naturally. Most lobbyists that walk up and down the halls work for gaming, which you can tell because it looks like they have a club over their shoulder that says "gaming" on it. When I introduced that legislation that we just were talking about, I'd walk down the hall, and all my colleagues would go to the other side of the hallways. They didn't even want to rub shoulders with me [chuckles], afraid it might be catching.

But I came up with an idea to have an initiative petition for an increase of two-and-a-quarter percent, I think it was. I still worked during the next session to increase their gaming tax. I didn't introduce the legislation, though, but I just worked on it by talking to them. I thought that I would have to go to the people of this state to raise gaming taxes, and I really don't really like initiative petitions. I think it goes around the representatives in the Legislature. So I was trying not to do that, but I wasn't getting any support. Most of the money would have gone to education. Then I had the Highway Patrol, which hadn't had a raise for years,

figured into the initiative petition; I had the senior citizens, to give money to the centers; and I couldn't get anybody that would come to me and say, "Let us help you." I envisioned myself and my wife traveling the state in a motor home, trying to get signatures, and that would be almost impossible.

But I didn't tell the gaming industry that. I worked with Steve Wynn and some others—Sam McMullen and Mike Sloan, who was a senator and then became a lobbyist for gaming—and I was able to convince them to come up with a half percent, and I got them to sign off, and that's what they got: a half of a percent increase in the tax on gross revenue. That brought in something like 50-some-odd million dollars. My reward for that was this: the newspaper came out and said that Mello is one that liked to work in smoke-filled rooms—not the fact that that money would help the people of this state and still wouldn't be a burden.

S.B. 24 (1987) incrementally increases the monthly fee assessed on the highest category of gross gaming revenue.

I thought of another lobbyist—George Flint—that I worked with. I liked George, and he even took time off to work in my office and run it. There was also Sam McMullen. There was the lobbyist for the state employees, and the teachers' lobbyist. There were, as I said before, quite a few good people that lobbied. Some, though, I couldn't trust.

Bennett: I was just going to ask if you could remember any particular time when perhaps the interaction with lobbyists was not as positive.

Mello: Yeah, the gaming lobbyists. I would stand up on the Assembly floor every time I saw them walk into the back of the seating area for the public and challenge them to a debate over the gaming tax. I even got some TV stations to give me time, and I told them who the TV stations were, and "let's get it on." I never could get them to debate me on it.

Many of them are very, very kind people; but others are not. They used their clout to try to hurt you if they could. My wife and I were even threatened with bodily harm. Of course, that's not the entire industry. I think the bulk of the industry frowned upon that. They wouldn't want that. But it does happen.

Bennett: You had mentioned that one of the difficulties in the old Capitol Building was there was just no place to talk to people. In the new building, then, legislators had offices, and there were committee rooms. How did that change the tenor of the process?

Mello: Quite a bit. Of course, my office was no bigger than a cloak room. Once you got into it, and your desk and your phone got into it, there was about one more place for a person to stand. It wasn't very big. Not like the offices today. But we managed -- even though most of us operated, say, 24 hours a day representing people, taking their calls and writing to them, but we're not considered full-time legislators.

So the building was adequate. And now look at it today—the Taj Mahal—still for so-called part-time Legislators. As you noticed, the building is

practically empty; the only ones in it are staff. They've spent about 70 million dollars of the taxpayers' money on a beautiful, beautiful building for 60-day wonders. That's a little hard, but I believe that they have to take some responsibility for it. We used to introduce legislation—twice as I can remember—to increase the number of days—it's in the Constitution—that legislators could be paid. We put it on the ballot two different times, and both times the newspaper came out and slaughtered us. Told us we were part-time legislators; it's time we act like part-time legislators; and we didn't need the pay increase.

Bennett: But you still had work to do between the sessions?

Mello: Oh, absolutely. I didn't have an office. I used part of my family room as an office. I was audited by the Internal Revenue seven out of 11 years. I was picked as the one legislator from the state of Nevada; the Internal Revenue picked one out of every state. I happened to get the draw, and I proved beyond a doubt that I could write part of that office off for my taxes. I proved beyond a doubt that I worked 39 hours a week with no pay. Believe me, when you have audits like the ones I had… See, I wasn't in business. I was just a working stiff. They had field audits. They would come to my home and really scrutinize me to see if I was doing something wrong.

Bennett: Did you hear from your constituents between the sessions?

Mello: I'd make trips on the railroad, and when I got to Carlin, I'd call my wife. Carlin, Nevada, was our layover. I'd call my wife, and she'd have all the names, phone numbers, and the subject matters for me, and I would stay there as long as I had to and make those calls.

Bennett: From Carlin?

Mello: From Carlin. Incidentally, they were long-distance calls. My wife and I paid for those.

Bennett: You served on interim committees between sessions?

Mello: Oh, several. I was the chairman of the Legislative Commission. There are 12 members on that, three from each party from each house. I served on many interim committees. I finally came up with a credit card that the Legislature would give to legislators, and the legislators could—if it was state business—make phone calls on this credit card.

Chaired the Legislative Commission, 1973-74 and 1977-79, and the Interim Finance Committee, 1975-77 and 1979-81.

Bennett: We're going to take a quick break and catch our breath, and then we'll start on the second hour in a few minutes.

Mello: Okay.

Bennett: Here we are with our second hour, and we're going to talk about some of the specific issues that you were particularly involved in. I think the state employees were very happy with you one session.

Mello: Yes. The Assembly of Governmental Employees had 750,000 members, and they elected me as one

of the 10 outstanding legislators in the United States in 1976. I've always been very proud of that.

I got a pay raise for state employees that was the highest pay raise that had ever been given in the state service. My colleagues weren't going to give them any raises because the revenue projections were bad for the interim. So I and my fiscal analyst came up with a plan that if the revenues were higher than what the Governor had projected, there'd be a pay raise. The first one was about eight percent, but it would be a trigger. Then the second one would be around 5.5 percent. Over the two-year period of time, it was about 20 percent with which my colleagues were not at all very happy. When we came back for the next session in 1981, they said, "If we had any idea that your crazy idea of a trigger would work, we wouldn't have voted for it." It didn't bankrupt the State by any means, and many state employees hadn't had a decent pay raise for many years.

Bennett: Where did you get the idea for the triggers? Was that the first time that was used?

Mello: No, there was a trigger in education. I think Carl Dodge, or somebody else, was involved with it. It was a good idea, so we borrowed that. It worked out fine for the state employees and the university employees as well.

Sen. Carl Dodge (R-Churchill, 1958-80) is considered the father of the Nevada Plan for School Finance.

Bennett: You had a run-in with the university system in 1977.

Mello: I sure did. With the Chancellor.

Bennett: With the Chancellor?

Mello: Yes. My Ways and Means Committee scheduled the university system administrators for hearings on their budgets. In the interim, the Legislative Commission had passed a resolution to study budget formulas and formats for the University of Nevada System. This changed the way they were to present their budgets—changed them from the way they had presented them in the past. So I called in the university system administrators, the Regents, and the Chancellor, and we started the meeting. I could tell by the presentation in front of me that came from Chancellor Don Baepler that they had prepared the budget the way they always prepared it. They said, in so many words, "We're not going to do this. The Legislature may think it's fine, but we don't." Now I'm not saying that that's what they thought, but that's the way they acted. So when I asked three questions of the Chancellor under the new formulas and formats, he answered under the old, which was wrong. He answered them wrong. I told him that I was very disappointed in people that were educated but would not respect the Legislature, and thus, they were not respecting my Committee on Ways and Means. I noticed that the Chairman of the Board of Regents, Robert Cashell, was hostile toward Chancellor Baepler. I could see him out of the corner of my eye. The Chairman was so

LCB Bulletin 77-5, "Budget Formulas and Formats for the University of Nevada System" was published in January 1976.

mad that this would happen, and he didn't know about the study. But he should have known about it.

So I gave them until the following morning to redo their budgets. I thought it would be impossible, but they did it. I said, "I'll see you at eight in the morning." The Chancellor said, "Mr. Chairman, we're scheduled to go in Senate Finance at eight o'clock in the morning." The only thing that separated these two committees was a wall. I said, "Well, I didn't put you in this predicament; you did. So you'll either be in here at eight a.m. tomorrow morning to present your budgets the way this report says, or we may not hear your budgets at all this session." Needless to say, they were there at eight a.m.

I don't know what they told Senate Finance [laughter], but there was quite a rift between the chairman of Senate Finance and myself. It was, I think, more pride because Floyd Lamb had been around longer than I had, and they had won our differences so many times. When I became the chairman of Ways and Means, we started to turn the tables on them, so there were many times he wasn't real happy with me. I wondered if the Chancellor could get him to yield to let them come in. I guess they were able to talk him into it because they were back the following morning.

But they went down a long ways in my book because they tried to pull the wool over our eyes. I called a recess to let them think about it, and when I

went out to my office, a gentleman who was part of the administration told me, "We had a meeting of all the administrators for the budgets, and it was said to the Chancellor that you would catch this, and the Chancellor said, 'I doubt very much if he could find his way out of the cloakroom, let alone find this.'" He said as much as that. That might be even kind of what actually took place. But he found that he was in trouble. As John Dolan, who was my assistant, has said to me, I probably was the best friend the university system ever had. Then to turn around—and they had to know that—to turn around and do that to us was really a slap in the face to the Legislature and to me and to my committee.

Bennett: Did they try it again?

Mello: No. As a matter of fact, I'm not sure the Chancellor stayed around much longer. I don't think I saw him again.

Bennett: Since we're talking about the university system, tell me about the medical school.

Mello: Yes. The two-year school came about while we were still meeting in the Capitol Building. I almost didn't go with it because it was a very expensive program. It wasn't that I didn't think that Nevada could use it. At that time, we had studies shown to us that states that had medical schools usually had better and cheaper medical care. That's what was said. We were assured that if we started a two-year school that the students would be able to move on to

The University of Nevada School of Medicine was initially chartered in 1969.

another state, and slots in those medical schools would be built in for them.

It was about two years when we found out that those slots were no longer available, that the states were giving those slots to their own citizens, which they should. So medical school personnel came back to us and said, "We can take the money that we've received, donations for buildings and all that, and do something else with them." Then I felt that what we should do is obligate ourselves to go on with the four-year school, if nothing else than to take care of the students that already had the two years. It was still a fantastic program for the state of Nevada. So we expanded it to four years. I introduced that legislation.

Bennett: Some of the other legislation that you were involved with—

Mello: Cooling-off period.

Bennett: The cooling-off period. Tell me about that.

Mello: We had a lot of people in government, such as the Gaming Control Board, the Gaming Commission, and the Public Service Commission, who were being paid by the taxpayers to learn the industry that they were regulating. Then they would get so good at it that the industry they were regulating would hire them. So all the money the taxpayers were spending on that training was for naught. I introduced legislation that people who served on those regulatory boards would have to take a one-

S.B. 329 (1987) restricts the employment of certain former state employees.

year cooling-off period. Several of the people on those boards appeared and testified against it, but we were able to get it on.

Bennett: That affected people who were in the executive branch?

Mello: Yes, appointees.

Bennett: To the regulatory boards?

Mello: Yes. Another piece of legislation that I was quite proud of was—but I took a lot of heat over it, particularly from doctors and lawyers—was getting 10 percent of the federal inheritance tax. They misunderstood it. I would go around the state and debate these people about this because they thought it was creating the state inheritance tax, and it wasn't. The State could take 10 percent of the *federal* inheritance tax. It was already out there, and the Federal Government was taking that money and, as far as I was concerned, wasting it. It would be coming from Nevadans; we'd get 10 percent.

Passage of SJR 11 by the 1983 and 1985 sessions and approval by the voters in 1986 allows the State to collect a portion of the federal inheritance tax.

We had to change our Constitution to be able to pick up that 10 percent. We were told that if we'd had this in place at the time that Howard Hughes lived in Nevada, we'd have gotten something like 200 and some-odd million dollars from his 10 percent instead of allowing the feds to waste it, which we thought they were. Now the first time that went on the ballot, I didn't introduce it. The first time, it was defeated soundly. So I took a chance; I reintroduced it and put it on the ballot; and

I earmarked the money to go to education and got all the teachers, students, and their parents lobbying for it, and it passed.

Bennett: You also had something to do with the establishment of Rancho San Rafael?

Mello: Yes. Many people in the Legislature came to me as Chairman of Ways and Means and wanted me to come up with the money for the bonding of it, but we couldn't. We were over-extended in bonding. We had other programs that came ahead of that. Being from Washoe County, I realized that that 415 acres of choice land would be fantastic for a park. They were already in negotiations with Mrs. Herman, I believe. Many developers were negotiating with her to buy the land to build shopping centers, houses, and all that. That was a one-time-only shot, to be able to pick up that acreage.

So I had to get on the plane one day for a meeting in Las Vegas, and Vern Bennett, Executive Director of the Public Employees Retirement System (PERS) was going to get on the same airplane with me. We sat together, and he said, "Are you still trying to get the money for San Rafael?" I said, "I sure am. I just don't know where it's going to come from. We've got to find somebody that will buy the land, hold it, and then put it to a vote of the people—Sparks, Reno, and Washoe County—and turn it over to Washoe County." I said, "I just don't know how to be able to hold that land before it gets away from us." I worked very well with Vern

Bennett, and Vern said, "Well, Don, what if PERS buys it?" I had never thought of that. They had millions of dollars, billions. I said, "Would you do that?" He said, "I'll do it." And I have to say this, he said, "I'll do it for you, Don." I did not do any campaigning on this whatsoever. If you look at the paperwork on it, there are so many people that were taking credit for it that I let them have it. They could have all the credit they wanted. All I was interested in was to be able to hold the land for a park, and they agreed to do that.

PERS purchased the land in 1979 to allow Washoe County time to raise funds. A.B. 485 (1977) authorizes Washoe County to issue general obligation bonds to make the purchase. SCR 61 (1979) allocates $640,000 in bond proceeds to Washoe County for the acquisition of San Rafael Ranch.

He was very, very instrumental in getting things done with PERS. He was very, very much ahead of himself. He was from Louisiana. I don't know if you know many politicians from Louisiana, but they're shakers and movers. They don't slow down for anything. He did a lot of great things for this state. I served on a committee along with Floyd Lamb, Jim Gibson, and some others I can't remember to advise PERS on how to invest their money. I was instrumental in getting them, along with Vern Bennett, over to the Hacienda properties—fantastic properties! RV park, well-established casino property, hotel—and I was able to get him to loan the Hacienda money. Now a lot of people were opposed to that. They said that loaning money to gaming is a shaky business. I said, "They pay most of the taxes, and if you can't loan money to the largest industry you have in this state, who you going to loan the money to?" Well, the Board accepted that, and so we loaned the

money to the Hacienda, and they've done great. They are paying a very high interest rate on that, incidentally. There was another casino that I helped acquire money, and I can't remember who it was. And I got no finder's fees, either! [laughter]

Bennett: So you were interested in budgetary issues and interested in things like parks. You were also interested in the arts?

Mello: Yes. I started the first art show in the Legislative Building. If you noticed when you walk through the building, you see artwork. I also served on the Arts Committee of the National Conference of State Legislatures. I've always been very, very fond of the arts—music, singing, acting, whatever it is. You see a lot of acting here in the Legislature, so it just fell right in. But the thing I really like the most is the paintings. I really enjoy paintings.

If I may explain to you: I formed a committee. Russ McDonald was one member and Craig Sheppard, another. He was the head of the arts department for the University of Nevada and a very accomplished artist; he had paintings hanging in eleven different countries. Very, very wonderful artist.

Craig Sheppard (1913-78) arrived at the University of Nevada in Reno in 1947 to build its art department. Much-admired for his oil and watercolor paintings, he retired from the University in 1973.

While I was up at the university, I took one of his courses in a Quonset hut. He asked that I come up in front of the whole class—Roger Trounday was in that class. Roger Trounday was later the chairman of the Gaming Control Board, and then he was the head of the largest budget in the

state, Human Resources. Of course, he wasn't working for the State then, and I wasn't in the Legislature; we were young university students. So I walked up and I got on this platform. The painting was terrible, and it was one of Dr. Sheppard's. He said to me, "Don, I'd like you to tell the class what you see in this painting." I said, "Oh, please don't ask me that. I don't want to answer that." He said, "You're going to answer it, or I'm going to kick you out of the class." So I said, "All right. It looks like something you see when somebody's sick." He said, "You're out of the class!" So I left.

We're working around now to the art show. When I picked the members of the committee, I called him and asked him if he would serve on it. Well, he couldn't remember me. We went around and evaluated the paintings, and then we went to lunch—Russ McDonald, architects, and all. So we're sitting there, chatting about the paintings. When we had gone around looking at them, we gave our impressions of the artwork. At lunch, Craig was sitting at the head of the table, and I was sitting across from him, and Russ McDonald on the other side. Craig said, "Don, I'm very impressed with what you know about painting. You really, really know artwork. How'd that come about?" "Well," I said, "You can't take any credit for it." He said, "I can't? What do you mean?" I said, "Don't you remember me? I'm the one that you asked to evaluate your painting, and I said it looked like something that somebody would do if they were

sick?" "Oh, yeah!" And I said, "Well, you can't any credit for my knowledge on artwork." [chuckles] We became very, very good friends after that. His wife did the bust of Pat McCarran that's in D.C. They're all very talented.

Acclaimed sculptor Yolande Jacobson Sheppard was commissioned in 1959 to produce the McCarran statue for Statuary Hall in the Capitol.

Bennett: What was the reception of your colleagues to the first art show? What did the rest of the Legislature think?

Mello: I wanted legislators to learn something about the arts. They're part of our culture, and you don't have to really study to learn from the arts. It's self-taught; you learn from it. See, our building was relatively new then. I wanted our citizens to come in, look at their building, and at the same time, look at the art-work. Only Nevada artists could be a part of the show. Then we would buy a certain number of paintings, and we would hang them in the hallways. They're so many of them now. I was walking around earlier looking at them, and I remember some of them. We had a painting of a trough in Senate Finance, and somehow or another, that painting disappeared. We don't know where that painting went. We have an idea where it went, but we can't prove it. [laughter]

Bennett: Then it must have been a very good piece.

Mello: It was beautiful. It was kind of appropriate to have it there because it was behind the chairman, and sitting in front of the chairman testifying were bureaucrats. Most of them were at the trough.

Bennett: So was that done deliberately?

Mello: Well, they felt at home. The Senate Finance Chairman might have done it deliberately. I tried to get it in mine, but he beat me to it. He had seniority.

Bennett: Any other pieces of art that stand out in your memory?

Mello: We had one that was absolutely terrible. It was, I think, Napoleon. Artwork was supposed to be by a Nevada artist and works about the state. Now I don't recall whether Napoleon was ever here, but the painting was really terrible. The individual that painted it tried to convince the committee that we should buy it, but we didn't, and he was very upset.

Bennett: It would be interesting to have Napoleon hanging in the building.

Mello: [laughter] Yes, it would be. I would have put that behind the chairman of Senate Finance in place of the trough.

Bennett: What would you have liked if you could have had any painting hanging behind your chair when you were Chairman?

Mello: I'm trying to remember the one that I had. I like landscapes, and I love horses. I don't think there's a better-looking animal, other than my three dogs. But we didn't have one in the show. I had—it seems like—a landscape with a barn and a yard-type thing. But I was really pretty busy. I didn't pay much attention to the artwork that was hanging behind me.

Bennett: One of the other issues you were involved with, which was very controversial, was the Equal Rights Amendment.

Mello: Yes. The referendum. It was a very, very hot issue in my district—very, very hot. Matter of fact, one of the individuals was in a church group, and she finally even ran against me because she didn't like the idea that I would put it up to the vote of the people. I didn't really see a better way of handling it than putting it to the vote of the people. It didn't frighten me to put it to the vote of the people. As I told this individual, "If they vote against it, then I'll go against it. But if they vote for it, I'm for it." People voted against it, which was kind of surprise-ing. I didn't really think they would, but they did. I don't know if there's been another referendum.

The passage of A.B. 301 (1977) placed an advisory referendum on the 1978 ballot. 61,768 Nevadans voted in favor, but 123,952 opposed adding the ERA to the U.S. Constitution. The next advisory question was in 1998 when voters endorsed the establishment of the last Friday of October as Nevada Day.

Bennett: I'm not sure whether they have or they haven't, but that was the first.

Mello: Yes. It was not binding, but I thought all of us elected representatives should see how our constitu-ents felt. It's a shame that we can't do it on some other issues, but people would say, "Well, you're elected to think and to do the job." But it still helps, though, to be able to find out how your people feel about something.

Bennett: So it was more of an advisory question?

Mello: Yes.

Bennett: Your constituents were advising you on which direction to go?

Mello: Yes, and they sure did.

Bennett: Were there other issues that you would have liked to put to an advisory question?

Mello: In a way, there were times where I would like to have put a new tax to the vote of the people. But I'm not sure it would be realistic. I think most times people would turn it down, but I do believe if you're able to convince your constituents that is the thing to do—the best thing for them—then they should be able to vote. But I don't think I'd find very many legislators who would support that because, once again, they feel that that's your constitutional duty. It's the same as what happened on the pension for legislators. It would have been very good to have put that to an advisory and then be able to explain to people what it was all about. To be able to explain to them that it wasn't anywhere near what the newspaper had on the front page: "300 percent increase." But it's like 300 percent of a quarter is what? See, it wasn't hardly any increase.

I received a telephone call from one of my constituents, a lawyer. He picked up the newspaper, went back to have a cup of coffee in his house, and he looked at this and became hostile. He wanted to call me immediately, but being a lawyer, he knew he had the statutes in his office, so he said, "I'm going to wait. I want to know what I'm talking about." So he goes to his office, and he reads the statute, calls me up, and tells me this story. He said,

A.B. 820 (1989) revised the formula for legislative retirement benefits. Gov. Bob Miller's veto was overridden near the end of the regular session. In November 1989, at a short special session, the legislation was repealed.

"You know, Don, that is not a big increase." He said, "When you created the pension, what was it set at?" I said, "$20 for each year of service each month. We raised it once to $25." Then we were raising it again. In 23 years, I believe it was, we had not had an increase. In the state of Nevada, legislators are poorly paid. For our responsibility, which is great, we are probably the worst-paid of any elected person in the state. The Legislature can give itself a pay raise; that's in the Constitution. But we looked at that before we came up with the increase. We looked at that. When you're here from five to six months and you're only paid for two of them, what would you have to raise it in that 60 days to be able to replace the money that you're losing from your job? It would be high—like a thousand dollars a day pay. People would go crazy over that. They wouldn't realize, though, that's it's only for a very few days.

I was very, very disappointed in that because in the years that I served here, I watched some fantastic people that didn't stay. They didn't really realize how much their pay was until they got here, and then when they saw it was cut off after 60 days, they couldn't believe it. They had families. They had house payments. They had car payments. They had braces for the kids. When you're here, you have very few benefits. That's the only benefit of the thing here—a check for 60 days. You don't even have health insurance. Legislators are treated in this state like step-children, and it shouldn't go on.

But you know, Dana, what one of the major problems is? We have people who serve in the Legislature that want the title, and they make money in the interim off of their title doing things for their business—like lawyers—and that shouldn't be. We have a very un-level playing field in the state of Nevada when it comes to legislators. People should realize this—we're looking at, say, four classes of people to serve you here in the state of Nevada: the rich, the retired, public employees, and housewives. There's nothing wrong with housewives or any of the others as far as serving. But they're about the only people that can afford it—the housewife that's not the bread-earner, we'll say. If she is, she's going to be in the same predicament that the rest of us are in. It shouldn't be that way.

The Legislature is its own worst enemy to not do something about the 60 days' pay every other year. It's almost like what Mark Twain said, if I can remember. He said, "Legislators meet 60 days every two years. Maybe they should meet two days every 60 years," taking a swipe at such an antiquated system. How we can go from 18,000 people when we became a state in 1864 to having, when I left and retired, 1.2 million people and still work under the same conditions? The only thing that's changed is the building. Everything else is the same. But one reason some people in the Legislature don't want to change it is they're doing quite well in the interim, and some public employees are being paid at their taxpayer-paid jobs that they

already have, but the rest of the people are not. Some people would like to leave it stay that way. Think about it. If you're not receiving any real pay, you practically would starve to death at this job. It takes somebody that's extremely dedicated to put up with it and a wife like I had that if I had a good paycheck, she would pay two house payments and two car payments. If she hadn't done that, we never would have made it.

But many legislators want to leave it that way because no one will run against them. Who wants to run for a job that would put you in the poor house? Only people like me. There're others that want to serve the people. But if you make this job attractive, like for a County Commissioner in Clark County or even the City Council—those people are paid well. Believe me, they do not work any more hours during the week than a legislator, except they're paid for the hours they work; legislators are not paid for the hours they work.

Legislators currently receive a salary of $130 per day for 60 days of each regular session and up to 20 days of a special session. The amount is set by state law; the time limitation is in the state's Constitution. State law also authorizes payment for travel and a per diem allowance for meals and lodging (consistent with the federal rate set for the Carson City area), regardless of the length of session.

That probably griped me more than anything. I would express that to people, and they'd say, "Well, Don, didn't you know what the job paid when you took it?" I'd say, "What do you do for a living?" I'd talk to bricklayers, electricians, so on, and I said, "Are you making more money today than you were the day you started?" "Well, yeah." "Why?" "Everything's going up in price." "But when you took the job, didn't you know what it paid? Should you have had an increase in your pay?

You don't think that it costs me as much to make a house payment, a car payment, as you?" That would change a lot of their minds. But legislators have to learn to go out and talk to the people they represent and explain things to them. All they know is what they read in the paper. Believe me, you don't want to go to the bank on that.

Bennett: You mentioned making the phone calls from Carlin—what were the other things that you did to keep in contact with your constituents?

Mello: Going door-to-door, and we'd send out mailers. I'd put little teasers on the envelope so they would open it up and look at it. One was: "Do you realize that your utility bill is too high? If you look inside, I'll tell you why." I would hear from people on that.

I introduced legislation as a Senator that really caused the utility companies to start representing their ratepayers. Have you ever heard of Valmy 1 and Valmy 2? Those were built without even knowing whether they were needed or not. The first one might have been all right, but the second one, no. It was a sweetheart contract. I proved this in an Assembly Government Affairs Committee meeting with Chairman Dini. The contract to build those was awarded to a company without being put out to bid. There were at least 10 companies that the Research Division found for me that were capable of building those plants and even bigger ones. The power company said that the reason they didn't put it out to bid was because they

knew from their experience that it would be done cheaper than anybody else could do it. They didn't think anybody else was big enough to do it. Well, I proved in the Committee that that was false, and they didn't fight it because they knew the names I gave them of the contractors. But it was really strange. I knew this going in, but do you have any idea who built them for them? The same company that used to own them. Now that's a sweetheart deal. But legislation that was passed that I introduced when I was in the Senate means that now they have to go before the regulatory body, and they have to be able to prove beyond a doubt that it's needed. They have to start giving plans every two years or so.

S.B. 161 (1983) requires certain electric utilities to submit plans for their future resources.

Senator Spike Wilson was on the committee—he might have been the chairman of Commerce—when I introduced that legislation. He said from the floor, "I want all of you to understand something. You're about to vote on legislation that is probably the biggest piece of legislation that this Legislature has ever seen." Because it put a stop to those shenanigans. The only way you can get away with that now is to be under the Bush administration. [laughter]

Incidentally, I thought Spike was a tremendous legislator. He had the Queen's language down to a science. One time he was in a debate on the floor, and Senator Vergiels turned and said, "Are you going to let him get away with that? Aren't you

going to get up and challenge him on that?" I said, "I hate to admit this, but I don't even know what he's talking about [laughter] because he's so smart." I said, "You're the educator. You stand up." Vergiels said, "I don't know what he's talking about, either."

Bennett: Let's talk about the Nevada Assembly. You were there for a long time, and then you went to the Senate.

Mello: Yeah. I was the Dean of the Assembly.

Bennett: What was the Dean of the Assembly?

Mello: The Dean is the oldest member, not in age—could be but wasn't with me—but has the most seniority on both parties. I took over from Swackhamer when he became Secretary of State. When I left, Joe Dini became the Dean. You have the number one license plate on your car, and I wouldn't take it off, even though I was in the Senate because I knew it would gripe Joe Dini because he wanted it. So the Director of DMV [Nevada Department of Motor Vehicles] came to me and said, "Don, I don't know how to say this, but you've still got the number one license plate on your car." I said, "Yeah." "But you're in the Senate now." "Oh. Well, who would get it if I take it off?" I knew he would say Joe. I said, "Does Joe want it?" "Yeah, he sent me down here to ask you." [laughter] I said, "Joe wants it; you have him take it off my car." And he did. I had my Senate plates in the trunk.

Bennett: Were there other responsibilities or duties with being the Dean of the Assembly?

Mello: No.

Bennett: It was a ceremonial position?

Mello: Wasn't even that.

Bennett: It was just the license plate.

Mello: Yeah, it was. [laughter] Yeah. Which people stole quite frequently.

Bennett: What surprised you the most about going from the Assembly to the Senate? You would think they have the same processes, but there are some differences.

Mello: They do. As a Senator, you only run once every four years instead of every other year. Believe me, campaigning is the worst part of the job. If a legislator spent half of the time representing the people as he spent in his campaign, people would be well represented. I felt like a beggar. It costs so much to run for public office. Most of the time, the campaign ads that you see on TV usually cost more than ads for a business. It's very, very time-consuming, and I think it puts you in the position, if you have a strong candidate running against you, to perhaps make commitments to people to go with them on something in the next session, and I didn't like to do that. I wanted to be able to come over here clear-minded and not owe obligations to people. I think that when you have to go beg for money, in most cases— Think about it. If you have a business and a legislator comes to you and asks you for some

money to help in the campaign, there's a good chance you're going to ask them how they feel about a particular piece of legislation or would they support a particular piece of legislation.

What I said to most people when I went out for campaign donations was that my door will always be open to you. If you want to come in and talk to me, I'll see that you're able to come in and talk to me. I didn't want to have to say that I'll do this, I'll do that. The other thing is that you have to have a hell of a memory if you're getting a lot of people [chuckles] helping you to remember: what all did I obligate myself to? You really can't represent your people when you have to do that.

Bennett: So is that why you went from the Assembly to the Senate?

Mello: Well, partly, because I didn't have to beg as often.

Bennett: What surprised you the most when you got to the Senate, other than the campaigning you've talked about?

Mello: I don't want you or the viewers to misunderstand this, but you really feel like you've grown up.

Bennett: Explain that.

Mello: First of all, you don't have that problem of running every other year. You really feel like it's kind of the House of the Lords. There's only 21 of you; 42 over here. So you have fewer people to lobby, and legislators are probably the biggest lobbyists over here. You have to lobby constantly for your bills. Your

colleagues don't pass them just because you put your name on them. I can prove to you that that's not the case because I have some that went down. But I don't know—you're higher up there. The air is fresher on that side than it is over here. [laughter]

Bennett: You're pointing to different sides of the building, which would have been the case in the old Capitol and when you first moved over here.

Mello: The Assembly chamber is over on this side.

Bennett: To the north.

Mello: And the Senate is over here [gestures to the south]. It got switched around somehow by the architect, and by the time we found it, we didn't know what to do with it. So we left it.

Bennett: Now in this building, the chambers are on opposite sides of the first floor, but the offices and the committee rooms for the houses are separated by floors.

Mello: I've looked at that. I really haven't spent any time over here. I came over to testify on the tips bill last year, and I really have not missed this place.

Former Sen. Mello testified on behalf of A.B. 357 in the Assembly Committee on Judiciary in March 2007.

Bennett: Really?

Mello: No. I can tell you honestly, knowing what I know today, had I known it then, I wouldn't have run for office.

Bennett: Back in 1964?

Mello: Yes. If I knew then what I know today. This has been a very, very—I don't want people to start

crying because I'm not—but this has been a very, very trying thing for me to serve. I lost so much money than what I would have made as a conductor on the railroad running a train than what I made as a legislator. The responsibilities you have to try to help people and see that legislation doesn't affect them or hurt them, but benefits them. If you do your job properly, you should receive some compensation for it. Once again, I don't think that you should fit into that category of four groups—the retired and wealthy and all that—to have to serve the people. I would think that the people would not want that—that they would want qualified people to run and to be able to pay them for the energy and the time that is spent. When I went into the Legislature, I didn't need glasses. But I had to read so much of this stuff and try to find where our lawyers were trying to slip some of their information into the bills [laughter], which happens, incidentally, and I can see where it does. They sit down there and they write these things every day, and all of a sudden they say, "Wow! If only we could do this to it," and then insert something. You have to look very close. [laughter] Doesn't really help or hurt the legislation, but it's a good thing to know that it's there.

Bennett: How did your legislative service affect your family?

Mello: Well, I had a very good wife. I still have her. My wife and I went steady for four years. We were engaged for two years, and she proposed to me on leap year. This is leap year.

Bennett: This is leap year.

Mello: When we have some words, I always try to remind her that she asked for it. [laughter] She's pretty good. Even though she's Italian, she can hold her temper pretty good. But it sure helped, though, to have her. You see, I managed the State's money, and she managed our money. I never even thought about the money I was losing because I was enjoying what I was doing. I used to put on my campaign material that, "If you have anything you want to talk to me about, I don't care what it is, the bad time you're having at work or a problem you're having with somebody, and you have nobody to talk to, here's my number, 358-0736, call me." And people would call. Do you know I would receive more telephone calls, though, from Clark County than Washoe? One day, Assemblyman Paul May, Chairman of Taxation, walked in my office, and he says, "Mr. Chairman, you got a minute?" I said, "Come on in here." So he came in. There was a stack of mail that high [gestures]—400 letters. He said, "Don't you ever go through your mail?" I said, "Paul, that's today's mail." "Today's mail?!" It was that way all the time. I'd get 150 to 200 telephone calls a day, most of them from Clark County.

Paul May (D-Clark) served in the Assembly from 1966 to 1984 and again from 1986 to 1988. He chaired the Assembly Committee on Taxation during six sessions: 1973-77, 1981-83, and 1987.

Bennett: Why were they calling you?

Mello: They knew my name. I guess they wrote some pretty good stories about me in Clark County, but I never did see them here in Washoe. Maybe that's why the people here didn't call me. [laughter] But

had they written the same good stories about me here, I'd really been bombarded by calls and letters.

I really have a real fondness for the city of Sparks and the people. I moved there in 1945. There were something like 7,000 people there. I had a paper route. My father was in business. He had the largest roofing company in the state and northern California. You were on a first-name basis with everybody, and I think that stayed with me while the city was growing.

But I became very, very tired of it towards the end there. The fact that we were underpaid, constantly being bad-rapped by the media. As I spoke earlier, I really don't know why they do that. Now the newspaper doesn't even cover the Legislature very well. You can't even find out what's going on. You can if you're computer-literate, but I'm not computer-literate. Matter of fact, in the morning, I walk by my wife's computer and it says, "Good morning, dummy." [chuckles] I just can't get close to it with that kind of talk. So I haven't learned anything about the computer.

Bennett: Why did you decide to retire when you did?

Mello: Tired. I mentioned how good my wife had been with me being in there, but finally she'd had enough. She talked to me about not running prior to my retirement, and I would say, "Okay, all right, I won't run." Then it came around to filing date, and I had not resigned, so then people started calling me—teachers, state employees, labor people—and

said, "Oh, we've got to have you. You've got to come back. You've got to come back." So the only way that I could convince her that I wasn't going to file again was to resign. Many people said it was because of the pension. It wasn't. Wasn't at all.

Do you know why the Legislature came back and amended out the pension? Because we had a disgruntled staff member of the Senate who had been there for many, many, many years, and she got released from her position. She was really upset with the Legislature, I mean *terribly* upset. She got some financial backing—I was told; I never did talk to her about it—and she had people go out and barnstorm the state with that "300 percent increase." It didn't make any difference what it actually came to. That wasn't what made them mad. It was the 300 percent. And my colleagues were scared to death! They wouldn't even go and have a meeting and talk to the people and explain it to them. All of them thought they were worthy of it, but they didn't think they were worthy enough to go out and explain it to the people they represented. Even today, I'll see somebody from the Legislature—even though I've been out for twenty years—tell me that it was right. I won't name who they are, but some of them are still around. [laughter]

Bennett: Looking at your full legislative career, 27 years—

Mello: Twenty-six years and 10 months.

Bennett: From 1963 to 1989. Overall, what would you say were some of the biggest changes to the legislative

process? We've talked about the building. But how had the Legislature changed in terms of how it did its work over that period of time?

Mello: I think mainly by increasing the size of the staff. Many people would argue with that, saying they have too many. But once again, they are professionals, and they do more good for the taxpayer in watching out what goes on over here and helping legislators. They'll kind of tell you, when they get to know you, that maybe you don't want to do that. Maybe you would rather do this, make this little change, or something. We have some outstanding people working for the Counsel Bureau. I could never say enough for them.

I'm not sure they needed this building, this Taj Mahal, with marble floors and gold fixtures in the bathrooms in the leadership offices and stuff. That doesn't make a better legislator out of you. Some of the legislators have offices—I cannot believe the size of them—and they don't even have chairmanships. Unbelievable! When I was a chairman in the new building, which you would call this, I only had two small offices: one for the secretary, one for me, and that was it. It was sufficient. Today they have some of the largest— I looked at an office up here, and I thought it was a committee room, but it was an office.

Bennett: We're getting close to wrapping up. Looking back, what would you say is your fondest memory?

Mello: There've been so many things that I've been able to accomplish, and I didn't do it just with myself. I had to have help. One is home help, and then here. I know that it's difficult doing this type of oral history, of looking like you're patting yourself on the back. I'd rather have some other people in here helping me a little bit.

I had a Ways and Means bill on the Assembly floor one time, and I stood up and was fighting for it, and there was an Assemblyman from Clark County—Bob Craddock—who was not happy with the bill. He stood up, and he started debating me on it. I have kind of a short fuse sometimes, so I answered him, and I sat down. He got the floor again, and he says, "You know, as much as I don't like this legislation, I'm going to support it because Assemblyman Mello is supporting it, and I've never known him to lie." That kind of makes you feel good to hear things like that.

My word was my bond. One time, I was so busy—I was in the Senate. I had told a lobbyist that I would vote a certain way on a bill. It was a good piece of legislation, and I said that I had no problem with it in committee. But I had forgotten all about it. It was the only time I can ever remember doing that, and I voted the other way. I can't tell you exactly why I did that, but I did it, and he came to me [chuckles] said, "Your word has always been your bond." See, you get so busy up here—so many pieces of legislation—and I had to apologize. I was

able to bring the bill back because it was my fault. There was nothing wrong with the legislation; it's just that I think I misunderstood that I ever heard about it [laughter] or anything else. There're times when you actually feel like a zombie over here with all the work that you have. When I was here, we didn't have aides; individual legislators didn't have secretaries. You only had a secretary when you were a chairman. I understand they have secretaries today.

Bennett: There was a secretarial pool, as I recall.

Mello: There was a pool. You could draw from it.

I was trying to think of something else that we may have missed. Oh, Sparks redevelopment.

Bennett: Sparks? Okay.

Mello: Mayor Lillard came to me late in the 1979 session—I was the chairman of Ways and Means, and it was in May, if I can recall—and he wanted a redevelopment plan for the older part of the city of Sparks. It would have been the first in the state. He convinced me that it was a good thing, and we spent a long time talking about it. I knew I wasn't going to have a problem in the Assembly with it because Joe Dini was the chairman of Government Affairs, where the bill would have gone, and Joe and I were close. I thought if I was going to have any problem at all, it would be in the Senate. So I took my mayor in tow, and we went across to the Senate, and I got Jim Gibson. I went like that [gestures] at the door

with a window. Jim and I worked very closely together. He was a very, very, very kind, smart man. He got up, gave the gavel to his vice-chairman, and came out. I explained to him what it was all about and introduced him to my mayor, and I said, "This is going be a first, and I think I won't have any problem in the Assembly, but the problem could be here. Do you mind?" Because it was late in the session, and you get to the point where legislators can't ask for legislation, but a committee chairman can. I could have introduced it as a Ways and Means bill, but that wouldn't have helped me. Here it would've, but maybe not over there in the Senate. So he said, "Okay. I'll get a bill draft, and we'll have a hearing on it as soon as possible, and I'll send it over to you." He did, and it passed. This is something that I had something to do with, and I did it for my city.

After eight years in the Assembly, Jim Gibson (D-Clark) served in the Senate from 1966 to 1988. He chaired the Senate Committee on Government Affairs, 1975-81, and was Majority Leader, 1977-85.

My mother lived in Sparks. She didn't live in the district that they had planned, so that was never discussed. She had a very large home. My dad was run over and killed when he worked for the State, and this home meant a lot to my mother because she saw my father and so many things about him in it. She had rentals on it. The City of Sparks took it for redevelopment, and so my mother lost her house. That's one of the saddest things that's happened to me. I told my mother that it was my fault. She was not happy with me. I told her I didn't realize, though, that it would take her home. She had a very, very small state pension because my

dad hadn't worked that long for the State Highway Department. That has hurt me probably more than anything. Somebody would have lost their home, but the area they told me it was in was old, old houses, and many of them were not even being occupied. I tried to explain to my mother that somebody would've lost their home, and I'm just sorry that it was her. I was sorrier that I had something to do with it, but it was good for the city of Sparks. After all, that's why I was there.

However, the City Fathers lied to me about the location of the planned redevelopment, which was west of 15th Street to the Reno-Sparks city limits. My mother's house was two blocks east of 15th Street—only three blocks from John Ascuaga's Nugget, the largest casino in Sparks. That was a plus for the Nugget. Sparks waited for me to retire before making the plan public, knowing well that if they made it public, I would most likely kill the plan. If it had not been for my support, Sparks redevelopment would not have seen daylight in the Legislature.

Bennett: Thank you very much for your time today. I think this has been a very productive interview, and I hope you've enjoyed yourself.

Mello: Yeah, I just wish I'd talked more. [laughter]

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ABOUT THE PROJECT TEAM

Get Consensus, LLC, is owned by Dale Erquiaga who serves as the project's manager and conducted some of the interviews. Dale is a native Nevadan with an extensive background in Nevada politics, having served as Director of the Nevada Department of Cultural Affairs and Chief Deputy Secretary of State. With both Nevada and Arizona clients, Get Consensus is based in Phoenix.

Dana Bennett is the project's leader and has conducted most of the interviews. Currently a PhD candidate in public history at Arizona State University with a particular interest in the women who served in the Nevada Legislature between 1919 and 1960, she has also conducted oral histories with former Arizona legislators. Prior to returning to school, she was part of the Nevada legislative process for many years.

Gwen Clancy is the project's award-winning videographer. Based in Reno, she hosts and produces the documentary series, "Exploring Nevada," which is seen on local TV throughout the state.

Jean Stoess transcribed and indexed the interviews. A long-time Reno resident, Jean is familiar with Nevada politics in both elected and appointed capacities and has indexed several Nevada history works.