



Nevada Legislature Oral History Project

MELVIN D. CLOSE, JR.
Democrat

Assembly, 1964 – 1970
Senate, 1970 – 1982

MAY 13, 2008
LAS VEGAS, NEVADA

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JONES VARGAS LAW FIRM

LAS VEGAS, NEVADA

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Get Consensus, LLC
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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.



Melvin D. Close, Jr.
May 13, 2008

MELVIN D. CLOSE, JR.

Democrat Melvin D. Close, Jr. first ran for the Nevada Legislature in 1964 and began an 18-year career marked by the holding of leadership offices in both houses. During his first session as an Assemblyman, Mr. Close distinguished himself as the Chairman of the Assembly Committee on Judiciary. Two years later, the Assembly elected him Speaker, a position in which he served during the Regular Session of 1967 and the Special Session of 1968. The Democrats lost the majority in that year's election, however, and in 1969, Mr. Close served as Assembly Minority Leader. In 1970, he was elected to the Senate where he chaired the Senate Committee on Judiciary from 1973 through his last session in 1981. He was President Pro Tempore in 1977 and 1981.

An attorney born in Provo, Utah, and practicing law in Las Vegas, Nevada, Mr. Close was interviewed in the Las Vegas office of the Jones Vargas law firm, where he is a partner. In this interview, Mr. Close reminisces about his various leadership positions, noting that his insistence on the use of a secretary to take notes during Assembly Judiciary Committee meetings in 1965 helped to institute that practice in other committees and future sessions. Mr. Close also recalls his relationships with various legislators during his tenure. He credits such well-known legislative figures as Jim Gibson (D-Clark), Vernon Bunker (D-Clark), and Carl Dodge (R-Churchill) as his legislative mentors. Mr. Close emphasizes that personal philosophies were more important than party membership during his years in the Legislature. With long tenures in both houses, Mr. Close comments on the distinctions between the Senate and Assembly and on the ways that legislative service affected his family, which included small children. He fondly remembers the development of long-term friendships and fun times, such as biennial legislative golf tournament organized by James M. "Slats" Slattery (R-Storey).

Several critical issues, including fair housing and equal rights, were addressed by the Nevada Legislature during the period in which Mr. Close served, and he discusses how they were handled. He also explains that he enjoyed the varied and difficult issues that came before the Judiciary Committees, such as revisions to the gaming and criminal codes. Budget issues were not as interesting to him: he notes that he was bored the one session he served on the Assembly Committee on Ways and Means. However, he speaks with pride about his bill that created the State Environmental Commission. His long service as Chair of that commission after leaving legislative office provides him with an interesting perspective from which to observe the implementation of his legislation.

Mr. Close also recalls the battle over reapportionment in the mid-1960s, explaining that he first brought the federal suit to compel the Nevada Legislature to comply with the U.S. Supreme Court's decisions on representation. He withdrew from the suit after his 1964 election to the Legislature, and former Assemblywoman Flora Dungan (D-Clark) carried it forward. Although Mr. Close supported reapportionment, he notes that it had an immediate impact on the Legislature with a loss of institutional knowledge as some of the longer-serving rural legislators were replaced by new legislators, particularly from rapidly growing Clark County. Mr. Close explains that the new legislators soon got up to speed, however.

Married to Kathleen Close, Mr. Close has three children. He served in the United States Army and was an active member of service organizations such as the Elks and Kiwanis, as well as professional organizations including the National Conference on Uniform State Laws and the Council of State Government's Steering Committee on Suggested State Legislation. Mr. Close was educated at Las Vegas High School, Brigham Young University, and the University of California Law School at Berkeley. He was inducted into the Nevada Senate Hall of Fame in 1995.

Dale Erquiaga
May 2009

Dana Bennett: Good afternoon, Senator Close.

Mel Close: Good afternoon.

Bennett: We're going to take you back a little bit in time to your first day, which was January 18, 1965, and you're walking into the Capitol Building into what we now call the Old Assembly Chambers. Do you remember what you were thinking or feeling as you were starting your legislative career?

Close: It was very exciting to be elected for the first time and serving with people in Carson City who I'd heard about for a long time. It was very impressive. The Old Chambers were very nice. They had a lot of history behind them. It was a great experience. I enjoyed it. I was surprised because I had not only not been there before, but I was named Chairman of the Assembly Judiciary Committee my very first term. I didn't really know a lot about the legislative process, but I learned very quickly.

Bennett: How did you learn?

Close: There were a lot of teachers. [chuckles] The Judiciary room had a table that was long, about half this size [gestures], and to walk up and down behind the chairs, you had to turn side-ways. It was almost as long as this table, and the room was very long. It was an experience to go in there and have all these experienced

legislators looking at me, and I'm the chairman.
[chuckles]

It was interesting. I asked where our secretary was. "We don't have a secretary," I was told. I said, "How can you have a committee without a secretary?" "We do." I said, "We don't. We're going to have a secretary." So the very first minutes that were ever kept in the Legislature, as far as I know, was in Judiciary because I insisted we have a secretary to take notes.

Bennett: How did you become appointed to that committee in your freshman session?

Close: I don't really know, to be honest with you. There were, obviously, other people who were qualified, but I was a lawyer. Vernon Bunker was the Majority Floor Leader in the Assembly. Bill Swackhamer was the Speaker, and together they decided that was to be my job. It was great. It was very, very interesting.

Bennett: Your committee was one of the few that had an actual room to meet in at that time?

Close: Ways and Means had a room. We had a room. And I think that was it. We met in the morning as did they. Other committees shared our rooms when we were not there.

Vernon E. Bunker (D-Clark) served in the Assembly from 1958 to 1966 and in the Senate from 1966 to 1970. He was the Senate Sergeant-at-Arms from 1979 to 1991 and was inducted into the Senate Hall of Fame.

Bennett: Do you remember where in the Capitol that room was? Was it on the same floor as the chambers?

Close: Oh, yes. It was on the second floor. I was there just last week, as a matter of fact, and it's now been taken over for another purpose. So the door that was there has been walled off. I looked at it specifically because we had a bill draft that was very sensitive, and we shouldn't have necessarily had our proceedings in public. There was a reporter in there, and I said to him, "Keep this off the record because there's doubtless litigation of some kind." He said, "No, I will not take it off the record," and he walked out and slammed the door and broke the window up on the transom. I was looking for that broken window; it's no longer there. He was so angry [chuckles]—we became very good friends—but he thought it was inappropriate for me to ask him to take anything off the record.

Bennett: Oh, my. Was that after the hearing?

Close: Before the hearing. So he stormed out, and we had the hearing. Then I went out and talked to him. He had finally calmed down. Maybe somebody else talked to him also. [chuckles]

Bennett: Why did you run for the Legislature in the first place?

Close: I was recently out of law school, really did not have a lot of clients, and my dad suggested this would be a good way to get to know a lot of people very quickly. I wasn't sure I was going to win, obviously, but I ran and was successful.

Close graduated from the University of California Law School at Berkeley.

Bennett: Do you remember much about your first campaign?

Close: It was nothing like you see campaigns today. You talk about shoestring campaigns—that was one of them. [chuckles] There were some signs, a lot of speaking engagements, and things like that. I had some television time, and in those days, I would go out to the television station and just do a live shot—thirty seconds or a minute, whatever.

Bennett: Why did you run as a member of the Democratic Party?

Close: There were no Republicans in Clark County. There were no Democrats in northern Nevada. My dad said, "Do you want to run, or do you want to win?" I said, "If I run, I want to win." He said, "Then you're a Democrat," which was exactly true. He was very prophetic because that year there were no Republicans elected in Clark County that I recall, and there were no Democrats elected in northern Nevada. When you got to Carson City, it wasn't so much important as to what your party was but more of your philosophy. So there were some very

conservative Democrats and very liberal Republicans because you first had to be elected to that position, and then you did what you thought was right and based upon your philosophy.

Bennett: What were some of the issues that you hoped to work on when you first arrived there?

Close: I didn't have a lot of platform issues that I told people I was going to do this and do that. I always thought that was kind of presumptuous because there are a lot of people you have to convince to do anything. That fact that *you* want to do something really is only relevant if you can convince other people that your position is correct. Looking at this list of bills that I introduced, I saw that a lot of them died—more than I remembered. One of them even died in my own committee, Judiciary. [laughter] Obviously, it did not have a lot of merit. But there were numerous issues that I was interested in, and I introduced quite a few bills, a lot of them dealing with the law because I'm a lawyer. A lot of them dealt with criminal law because I had been an Assistant United States Attorney and the Assistant District Attorney, and so I had some interest in criminal matters and, obviously, in legal matters.

Bennett: What are some of the bills that stick out in your memory?

Close: One of the bills that I really liked, now looking back on the list, was the one about fiscal notes. That was a bill that required the cost of every bill to be included on the bill title. So if you were considering a bill, you'd know it was going to cost a million dollars, a thousand dollars, whatever. I thought that was very important because it was significant to know before legislation was passed what it was going to cost the State. So I liked that bill. That was a good bill.

*A.B. 582 (1969)
establishes requirements
and procedures for
obtaining fiscal notes for
legislative bills.*

I also liked passing the Environmental Commission bill, which was a bill that set up a commission to handle the environmental matters of the entire state, to set standards and things of that nature. Ironically, after I was out of the Legislature for several years, Dick Bryan, who was then the Governor, appointed me the Chairman of that Commission on which I served for about 20 years. That was kind of interesting to have it come back like that after I'd championed that bill.

*The State Environmental
Commission originated
in S.B. 275 (1971) that
enacted a new air
pollution control law.*

Another bill that I liked was the civil rights bill because, at that time, blacks and black performers could not stay on the Strip. Sammy Davis, Jr. performed in Las Vegas, but he could not stay in the hotels. That seemed inappropriate to me, and so I championed that bill and got it passed. There were a lot of bills

*A.B. 382 (1969)
empowers counties to
deal with civil and equal
rights.*

like that that were interesting to me, and I was able to successfully get them passed.

Bennett: Those topics sound like they may have been a bit controversial at the time.

Close: They were. But they also had merit. The fiscal note bill, I think, had some problems, but people finally came around and agreed that it was the right thing to do. Concerning the civil rights bill, I think there was a lot of controversy in that period of time on equal rights and equal housing, but I think that people came around and agreed that it was inappropriate not to let these entertainers stay on the Strip, using that as an example. And so that was passed and became law.

Bennett: You mentioned that when you got to the Assembly that there were people there that you'd heard about and recognized as being leaders in the Legislature. Who were some of those people?

Close: Again, there were some leaders in the Assembly at that time, like Jim Gibson and Austin Bowler. Between the two of them, they really guided me through my first session. Carl Dodge, a guy from Fallon, was an extremely good legislator; he was a good mentor for me. So I had very good mentors when I was in Carson City. I hoped that after I'd been there

James I. Gibson (D-Clark) was in the Assembly from 1958 to 1966 and the Senate from 1966 to 1988 where he was the Majority Leader for five sessions.

Austin H. Bowler (D-Clark) served in the Assembly from 1964 to 1970.

for a couple of terms, I could be a mentor to somebody else.

Bennett: What was life like in Carson City in the 1960s outside of the session?

Close: Not very exciting for me. [chuckles]

Bennett: Because you were from Las Vegas?

Close: Like I said, I was up there last week, and I looked at the place where I stayed that first session. I thought, "My gosh, how did I possibly stay in this motel?" I did because Jim Gibson was there; Austin Bowler was there; Vernon Bunker was there; and so we stayed there. The next session, I chose someplace else to live. That was not the greatest place.

Bennett: Did you live in another motel?

Close: A motel. As time went on, I started renting an apartment, and I found that more convenient than staying in a motel.

Bennett: Where did some of your ideas come from for legislation that you introduced?

Close: My dad suggested a lot of them because he was a great reader of newspapers. He saw what legislators were doing in other states, and he gave me some suggestions. People would come to me and say they thought this would be a good bill to be introduced and passed. Your constituents really have an input into what bills you're going to be introducing. Back in those

days, I ran countywide. We didn't have districts like we have today. So when I first ran, there were seven Democrats and seven Republicans running for office, and seven Democrats were elected.

Bennett: Then you were serving during the reapportionment sessions when that was changed?

Close: Interestingly, I brought the suit to compel reapportionment in Nevada. A lady named Flora Dungan came to me and said, "Mel, this is the right thing to do. This one-man, one-vote issue should be enforced in Nevada." So I brought the federal lawsuit, but when I was elected, I withdrew from the case because I thought that it was inappropriate to sue the State when I was part of the Legislature. So somebody else took over and finished that up, and reapportionment was accomplished. At that time, we had one Senator from every county; there were 17 counties. Clark County had a couple hundred thousand people, probably. Some counties had 200 people, 300 people, 400 people. I said, "This is not right. This is not the way it's supposed to be." You have to have somewhat proportionate representation. So the court agreed with that position, and then the next year, we passed the reapportionment bill.

*Flora Dungan (D-Clark) served in the Assembly 1962-1964 and 1966-1968. In 1965, **Dungan v. Sawyer** required reapportionment of the Legislature and the Board of Regents.*

Bennett: How did the functioning of the Legislature change after that? It had to have had a rather significant impact.

Close: We lost a lot of very capable, good people who had served for many years, had a lot of institutional knowledge, and were very able. So we lost a lot of qualified people. As a result, we had a lot of new people come in who were not necessarily as capable as the ones that we were losing. But they finally got experience and did very well. What I noticed immediately was that some of the people that I served with my first term were not there thereafter.

Bennett: What was the relationship like with staff? There weren't very many staff members. You had to beg for a secretary, for one.

Close: I was able to garner a secretary to work on the Judiciary Committee. We had two bill drafters, one for the Assembly and one for the Senate, and they handled everything. It's just incredible when I go up there now and see how many bill drafters there are, and I think that the quality of our bills that these two fellows put out was very good. Frank Daykin, for example, was the bill drafter for the Assembly. He handled every bill and did a great job.

Bennett: Do you remember who the bill drafter was for the Senate?

Frank Daykin became Legal Counsel in 1977, serving until his retirement in 1985. He continued to draft bills on a contract basis into the twenty-first century.

Close: I do not. But he was very capable. He was the main legislative counsel, and Frank Daykin was his assistant.

Bennett: Was that Russ McDonald?

Close: Russ McDonald. Yes. He was a great guy. He was very, very capable. Between Russ and Frank Daykin, they drafted every bill. They all seemed to come out on time and well-drafted. Both of those guys were very, very capable. When I got to the Senate, I dealt with Russ McDonald, and he was superb. The two of them did everything.

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

Bennett: Now you served as Speaker in the 1967 session?

Close: My second session. Bill Swackhamer had been the Speaker for some time, and people encouraged me to run for the Speakership, so I did. Since I didn't know what I was doing, my second term, Bill Swackhamer became the Majority Floor Leader, and that was helpful to me. Austin Bowler, one of my friends from Las Vegas, became the Speaker Pro Tem.

William D. Swackhamer (D-Lander) was in the Assembly from 1946 to 1972. He was Speaker in 1957 and 1965 and Majority Leader in 1967.

Bennett: It seems like the Speaker used to rotate more often.

Close: It did.

Bennett: You didn't serve many terms.

Close: After I served, then the Speakership was changed. Then I went to the Senate, so I didn't

really follow it too closely. There was the recent Speaker—Joe Dini—who was there for maybe 10 sessions. Before me, there was an occasional turnover, and after I took over for Bill Swackhamer, they changed periodically.

Joseph E. Dini, Jr., (D-Yerington) served in the Assembly from 1966 to 2002. He was Speaker a record eight regular sessions and named Speaker Emeritus in 2001.

Bennett: What was it like working with lobbyists when you were in the old building, and who were some of the lobbyists whose names stand out in your memory?

Close: It was more difficult to duck them [laughter] because there was no place to hide. Gosh, the building is so large now compared to what it even was when I was first in the new Legislative Building, but there was no ducking anybody. You walked down the hall if you wanted to go to the Senate, and if you wanted to leave the building, you had to walk down the stairs, and so there was always somebody there to talk to you. I don't think there were as many lobbyists then as there are now. I think there were fewer and somewhat less aggressive than they are now. But it was a different time in politics back in those days compared to today. Today, everything is about the party. If you're a Democrat, you go with the Democrats; if you're Republican, you go with the Republicans. You don't have a lot of opportunity to put your philosophy in effect because you have to go along with the party, which I think is bad. They didn't elect a party—they

elected a legislator, and you should be able to vote your conscience on bills and not follow the party line. I think that's been to the disadvantage of Nevadans, but it's a fact of life.

Bennett: Were there many party caucus meetings when you were serving?

Close: Yeah, occasionally. But not like there is now. Democrats voted for and against bills, and Republicans voted for and against bills, regardless of the party. It was what you thought was appropriate. There were a couple of caucuses—mainly north-south issues and things like that, which always came up—maybe once or twice a session back in those days. But it was not a serious party matter like it is now, which I think is unfortunate.

Bennett: Why did you decide to run for the Senate?

Close: Because I got a four-year term, which was better than a two-year term. But also I thought that you really have more influence in the Senate than you do in the Assembly. There's half as many people. The Republican Party took over in the Assembly, so I was Minority Floor Leader. I was the Speaker and then Minority Floor Leader, so I decided to go into the Senate where the Democrats were in control. A four-year term was meaningful to me because I had small children, and to run every year and serve every year, run every year and

serve every year was very difficult. This way, I had one free year, and that was good.

Bennett: How did your legislative service affect your family?

Close: I think that it was somewhat hard on them because I was not gone as long as legislators were recently, but I was gone three months or four months, although I would come back every weekend. Of course, I had a law practice also because you don't make any money being a legislator, so I also had to work at my law practice. It was somewhat hard. But every session I would take each one of my three children up with me. They would stay for a week, and we would have a good time in the Assembly or in the Senate. They enjoyed it, and they remember it to this day. In fact, I was in Carson City because my daughter and I had a father-daughter weekend, and we went back to Carson City and the places we used to go when she was a little girl.

Bennett: What were some of those places?

Close: We went to Virginia City and to Gardnerville—had a Basque dinner, went through the buildings, saw some people. It was fun.

Bennett: How was the Senate different from the Assembly?

Close: I think it was somewhat more thoughtful. The Assembly, on occasion, can get quite wild because it was pretty well equally divided between Democrats and Republicans, and even then there were a lot of party votes. There were still some disagreements, and with just 40 people, it was difficult to control them and keep them paying attention to what they should be doing. Especially in the evening when they would come back after being out and having a couple of drinks, it became difficult to control them. So it was kind of a wild and woolly place. The Senate, I think, was more thoughtful because there were older people and it didn't turn over as often. Back in those days, the Assembly turned over probably a third every session, so a third of the members were always new. The Senate had more institutional knowledge and longevity.

Bennett: Were there differences between the two Judiciary Committees?

Close: No. The people were different, but the issues were the same. That's because whatever bill goes into one committee has to go into the other also, so it's the same issues in both the Senate and the Assembly. Gosh, the people in the Assembly were very capable members of the committee as well as the people in the Senate.

Bennett: What are some of the more difficult issues that came to your committee?

Close: You know, I can't think of any that were really difficult. Equal rights was a very contested issue; abortion, a very contested issue. There were strong feelings on both sides. Our hearings would have maybe a hundred or two hundred people in the audience. These came about when I was in the Senate, so I chaired the Senate and the Assembly combined committee. We had combined committee hearings, and that was very interesting.

*Abortion was expected to be a major issue in the 1973 Session, but it was somewhat defused one week after the session started with the announcement of the U.S. Supreme Court's decision in **Roe v. Wade**.*

Bennett: So when you were in the Senate and chairing Judiciary, were you in the new building with better committee rooms?

Close: Yes. There were two larger hearing rooms, as I recall, that would hold a lot of people. When the two committees meet together, the Senate chairman chairs both committees. Those were two very controversial issues that we had up there.

Bennett: One of the issues during that time period was the tax shift in 1981.

Close: I wasn't really involved in it that much because it was not in my committee. Often you let those committees handle their affairs, then it comes to the floor, and then you vote for it or against it. So I wasn't really too much involved in the tax shift. Obviously, there was a lot of lobbying

for my vote, but so far as being involved in it, I really wasn't that much involved. I think I served on Ways and Means one session. I found it very boring. I thought, "If I can change the Governor's budget by five percent, I'd done a great job." Sitting there listening to all these things, and knowing what's going to come out of it, didn't really interest me that much. And so I went back to Judiciary, which I had enjoyed. I enjoyed it more.

Bennett: Did Judiciary have jurisdiction over gaming laws during your entire tenure?

Close: Judiciary held hearings on probably at least a third of the bills, and so all the gaming bills went through us. There were two or three committees that had primary responsibilities: Assembly Ways and Means or Senate Finance, Government Affairs, and Judiciary. Those were the three main committees, and then the other committees were kind of periphery committees. Taxation was a very important committee but didn't handle nearly the number of bills that Judiciary handled. So all the gaming bills went through us.

Bennett: They've had jurisdiction over that particular area for a while.

Close: In fact, we had a gaming subcommittee that was set up for the purpose of revising the entire gaming code, which was made up primarily,

but not exclusively, of the Assembly and Senate Judiciary Committee members. So, yes, we had a lot of responsibility on gaming matters.

Bennett: Did you completely revise the gaming code in one session?

Close: We did. I was the chairman of that committee, as a matter of fact.

Bennett: How did you go about doing that?

Close: First, we had to decide what issues were to be considered, and then people would come before us and make suggestions about what should be changed. We took a lot of testimony before we came up with a bill. It turned out, I think, fairly well. It stood up to the test of time. We now have corporate gaming in Nevada. We didn't have that before. When corporate gaming came in, large corporations kind of moved the previous ownership out, and things changed dramatically. Up until that time, they weren't allowed because we could not verify who the members of the corporation were. We didn't want to have unsavory people controlling gaming, and so that was a problem. But we finally got it passed, and I think it turned out very well. Without corporate gaming today, we wouldn't have Harrah's or MGM or Caesar's. We wouldn't have all of these entities unless we had allowed corporate gaming to exist.

During the 1979-80 interim, Close chaired the Legislative Commission's Subcommittee for the Study of Gaming, which produced LCB Bulletin 81-1, "Regulation of Gaming."

Bennett: During your tenure, what do you think were some of the biggest issues that the State faced?

Close: It always faces issues relative to finances. Now it's facing huge deficits, but that's happened in the past. There have been problems in the past financially, where the State had to retrench and change its taxing procedures. The tax shift was a huge, huge effect. So I would say that was and is always a big issue.

In 1981, the Legislature shifted the State from a reliance on property taxes to sales taxes.

Bennett: When you look back at some of the legislation that you were involved with, is there anything that you wished you might not have brought up or maybe had not tried to move forward?

Close: One thing that comes to my mind periodically is Lake Las Vegas. There was nothing out there when that bill was passed, appropriating water for Lake Las Vegas. They said, "Well, Mel, it's never going to happen. It's never going to come to fruition. Henderson needs it very badly. Just give me one vote because it's never going to happen." Now, we're using a lot of fresh water out there for that lake. It's beautiful. There are hotels and houses around it and things like that, but I often wondered about the guy who asked me to vote for that. I wonder what he would be thinking now, if he had seen that development. He's no longer with us, so he doesn't have to worry about it. But I often wonder, "Why did I

Development began at Lake Las Vegas in 1967 when it was known as Lake Adair. Senator Gibson introduced S.B. 446 (1967) that would have expanded the City of Henderson and changed its name to Lake Adair.

vote for that dang thing?" [chuckles] But I did. I did.

You try not to vote for bills that you're going to regret later, and when that happens, it's usually because somebody has persuaded you, against your better judgment, to vote in favor of a bill. That happens. We know politics is politics. Concerning bills that I wished I hadn't voted for, it probably was because I voted for a bill that somebody asked me to vote for. One of the things I learned there, which people have forgotten totally, is you do not trade bills. Now if you have a bill, you put it forward, and if it passes, it passes. If it fails, you must not have had a good bill. But one thing you don't do is trade your bad bill for somebody else's bad bill, and then get two bad bills passed. So that was hammered into my head when I first got up there, and I think they've kind of forgotten that policy in Carson City because there is a lot of bill trading going on.

All the time that I was Chairman of Judiciary, I did not hide bills in the drawer. You know, a lot of guys do that. They put bills in the drawer; they never bring them out because they personally don't like them. Well, I didn't believe that. If I have a bill, I'm going to have it heard, and either it will fail or it will pass. If it passes, that means the majority wants

it, and that's the way it should be. If it fails, it wasn't a good bill. But I did not make the decision myself that a bill would not pass just by refusing to bring it for a hearing. I thought that was a bad practice. There were some guys who did it when I was up there, but I thought it was a bad practice, and I never did that.

Bennett: Who are some of the colorful characters that you remember either among legislators or lobbyists?

Close: Oh, gosh, going back a long time now. There were some very good legislators that I remember. Jim Gibson. Carl Dodge. I really can't recall now who I would suggest to you as particularly colorful characters. I can't really think of anyone like that.

Carl Dodge (R-Churchill) served in the Senate from 1958 to 1980.

Bennett: What did you do between sessions?

Close: Practice law.

Bennett: Were you able to keep up with your practice during sessions?

Close: I had very good partners. Jim Bilbray, who became a Congressman, was one of my partners. Then we merged our firm with Herb Jones and Cliff Jones, and between all of us, my practice was maintained. I'd come back on the weekends and try to do some work. But basically I started my practice over after every session because my clients went somewhere

James H. Bilbray (D-Clark) served in the Nevada Senate from 1980 until his election to the U.S. House in 1986. Herbert M. Jones was appointed to replace Bilbray until the next election. His brother, Clifford A. Jones (D-Clark), served in the Assembly 1940-1942 and, as Lt. Governor, was President of the Senate 1947-1955.

else because I wasn't around, so it was a challenge.

Bennett: How did your campaigns change over time?

Close: Not very much. I think the most I ever spent on a campaign was probably \$30,000, which wouldn't even start an Assembly campaign today. I was running countywide. I think that the cost of politics has just become exorbitant. In fact, I put in a bill to restrict how much money you can spend in a campaign. It passed the Assembly; it passed the Senate. Then it was promptly taken to court and declared unconstitutional because it deprived people of the right of free speech. So the court knocked it down. But I thought it was inappropriate to spend hundreds of thousands of dollars or tens of thousands of dollars on these races. You don't become beholden to a lobbyist or to a contributor, but surely you know that he has given you a campaign contribution. Still, you vote your conscience, and that's all you have to worry about. One thing that's really changed is the cost of these elections. And I think they've become more personal. These attack ads, digging up all kinds of dirt that you possibly can on your opponent—we didn't do that back in those days. Even when I got out in the '80s, we didn't do it. Nobody ever ran attack ads on me nor did I on anybody else I was running against. I think that's really a sad thing. Unfor-

S.B. 162 (1973) limits the campaign expenditures of State Senators and Assemblymen.

S.B. 335 (1975) limits the campaign expenditures of candidates for specified state, county, and city offices and requires reports of such expenses.

unately, they appear to be very effective, but I don't think it's the right thing to do.

Bennett: Did you have tough campaigns? Was there ever a squeaker?

Close: Not really. In my first campaign, there were seven people elected in the primary, and I was number seven. In the general election that year, I was number two. I was very fortunate to have no difficult elections. As a result of that, you don't have to really pay attention to a particular force in politics. Now if you win by one vote, then you better pay attention to everybody, but if you win by a significant margin, then you can still do what you think is right without being concerned about losing your next election. I didn't have to really worry about that. When I finally was out of politics, it wasn't because I was defeated but because I decided it was just time to be out. I'd been in there for 18 or 20 years, and it was time to move on.

Bennett: When you look back now between your first day and your last day, how had the institution changed?

Close: I think it's changed because of politics. Party control, I think, has really come into effect. I think that having all these small Assembly districts and small Senate districts does not necessarily give you the best people because you might have all the good people in one dis-

trict and all the bad people in another district, and so you have one good person and one not so qualified person merely because the districts are so small. People are elected with 400, 500, 600 votes, and of all the people running that particular year for the office, they may not be the most qualified, but in that district, they receive the most votes. So I think that has not necessarily made for a higher-quality Legislature. I think it has helped dramatically because the cost isn't so great, and that's one of the reasons that we went to the small districts because it was becoming too expensive. But I don't think it's increased, necessarily, the overall quality of the Legislature.

Bennett: You were there during two reapportionment sessions in addition to the mid-'60s. Were you involved in the reapportionment process?

Close: Just on the periphery. That was more of a Government Affairs type of a bill, and so it was not one that I was deeply involved in. I watched it and saw what was happening, but there were some who were very much involved in it, but I was not one of those.

Bennett: One of the other things that happened during your tenure that I think you were involved in was the criminal code revision.

Close: We revised the criminal code because it was just a mish-mash of different bills that had been

adopted over time. We tried to make some common sense out of the entire code and have some consistency among penalties for similar types of crimes. We tried to modify the code so that the sentence would somewhat fit the crime. You're never going to do it totally. In fact, one thing that we did was that we set a minimum and a maximum so the judge has some flexibility as to the amount of the sentence to give to somebody. Not just a flat "for every crime there is a flat sentence, and that was it," but to give some flexibility because there are circumstances that dictate having a heavier sentence and a lighter sentence. Before, it was just one sentence fits all, which didn't seem to be the right way of doing it. So we gave the judge some discretion, and he decides how heavily to sentence somebody. The complaint about that is that different judges sentence differently. For the same crime, Judge A sentences you to two years and Judge B sentences you to three years, and so people said, "Well, there's that disproportionate sentencing." Which is true. On the other hand, I don't think one sentence fits every crime. That was one of the big things we changed in revising the criminal code.

The Criminal Code Revision Committee met during the 1965-1966 interim and produced LCB Bulletin No. 66, "Revision of Nevada's Substantive Criminal Law and Procedure in Criminal Cases."

Bennett: That must have been a difficult process.

Close: It was, but we had a lot of input from judges and lawyers. Criminal lawyers testified before us. A lot of people on the committee were not

lawyers and never had anything to do with the criminal law system, and so they had to be educated. I think we came up with a good bill.

Bennett: What are some of your fondest memories of your legislative service?

Close: I think my first session was very exciting to get up there and have a feeling that I can do something that will affect the lives of people in Nevada. That was good. At the end, it seemed like I'd been there long enough and it was time to let somebody else take over. I was still enjoying it, but it was just time. We had good friendships to this day. I'm friends with all the people that I served with. That was very, very rewarding. I had a lot of good friendships that still exist today, and we see each other periodically. It is fun to talk to them about the old days. We had some fun times. We used to have a legislative golf tournament put on by Senator Slattery from Virginia City, as a matter of fact, and one year we played in the snow. [chuckles] We played with colored golf balls, and we had fun times.

Bennett: Was there a lot of getting together outside of the Legislative Building in the evening hours?

Close: Yeah, there were. There were a lot of dinners and things like that that I would attend with other legislators. Sometimes lobbyists would take us out to dinner. Today if you go with a

James M. (Slats) Slattery (R-Virginia City) served in the Assembly from 1950 to 1952 and the Senate from 1954 to 1970.

lobbyist, you have to mark down \$2.50 for a hamburger. Well, back in those days, that wasn't required. There were times when I'd go out with lobbyists and have dinner.

Bennett: What were your choices in Carson City at that time? Which restaurants were there in Carson City? There couldn't have been very many.

Close: The Delta was always there. In fact, I was up there, like I said, a couple weeks ago, and a lot of the restaurants I went to are no longer there.

Bennett: That's why I'm curious what options you had.

Close: Carson City had only 10,000 people, maybe even less than that in 1965, so there weren't very many. Since that time, it's become a fairly big city.

Bennett: You mentioned that you decided not to run again simply because—

Close: Because I thought it was time. Some guys had been up there for 30-35 years. I would not want to be up there today, for example, doing the same thing I did back in the 1960s. That would not be something that I would look forward to. I was there. I did my thing. I enjoyed it, but I would not necessarily want to be back up there today. One of my partners in this firm is Bill Raggio, and he's been there for more than 30 years. Obviously, he enjoys that. But I would

*William J. Raggio
(R-Washoe) was
first elected to the
Senate in 1972.*

not have enjoyed it to the same extent that Bill does.

Bennett: So your tenure as Chair of the State Environmental Commission was about same the length of time as your legislative tenure. How was that different from being a legislator?

Close: Really not a lot so far as the duties are concerned because you hear testimony on things, you have bills submitted to you by the various departments, and you read them, you modify them as you think is appropriate, you take testimony. It's similar to being in the Legislature. It's to some degree like being a judge because sometimes you have to make decisions that affect people, and then you get sued and you have to go to court, and things like that. It is very similar to being a legislator. I think we had seven or eight people on the Environmental Commission from all different areas, such as mining and the State Forester. We had an environmental member; we had everybody on that committee; and they all had their own individual personalities and their own interests. We would meet probably once every six weeks or two months, and we'd have a packet that was given to us with all of the proposals that were being recommended. We had to take testimony, and sometimes we'd amend the bills that were given to us, and sometimes we'd adopt them as they were. So it

was somewhat similar to being a legislator or a judge also.

Bennett: You had a unique opportunity to experience your legislation in action.

Close: I did. [laughter]

Bennett: Did it work the way that you had intended?

Close: You know, I didn't really intend that much. I intended to have a committee that was set up to work for the environmental matters in this state. We needed a state agency so that we would handle our own affairs in Nevada rather than having the federal government make environmental decisions for us. It was the right thing to do. I really had no concept of ever going on that committee. Then Dick Bryan appointed me, and there I was.

*Richard H. Bryan (D)
was Governor from
1983 to 1989.*

Bennett: From that vantage point, was there something you might have changed about your original legislation?

Close: No. I think it worked out very well. We had a wide variety of members. Everybody was represented—all of the different communities of interest—and it worked out very well.

Bennett: I would imagine that probably ranks as one of your favorite pieces of legislation.

Close: It turned out to be. It wasn't that way when I passed it because I didn't think it was the most critical bill in the world. I was pleased we had

adopted it, having then a chance to see how it worked. But, no, it wasn't the most important bill I could imagine, although it passed, so it had to be a good bill, right? [laughter] But it was fun to be able to pass bills like that, and it was good to be able to do things like that. For example, one of the bills I championed was the compensation for victims of crime. When somebody gets injured in a criminal act, they have an opportunity to be compensated for that injury, which is not a lot of money, but to some people it may be a lot of money. It helps them pay for their medical bills and things like that if they're unable to pay for them themselves, so I liked doing that, and I think it was the right thing to do. There were bills that I enjoyed.

A.B. 683 (1969) provides compensation for victims of crime.

Bennett: Any others that come to mind?

Close: How about personalized license plates?

Bennett: Oh, did you do personalized license plates?

Close: I didn't realize that it would become as big as it is. I had seen personalized license plates in some other state, and I thought, "Well, that's kind of clever." So we adopted personalized license plates, and then the legislators got their license plates. As it turned out, it's a big money-making proposition for the State. The State makes a lot of money on personalized license plates. I didn't realize how profitable it was going to become.

A.B. 86 (1969) provides for the issuance of personalized license plates.

When I was first in the Assembly, one of our responsibilities on the Judiciary Committee was to go to the prison. We only had one prison then—Maximum in Carson City. I walked into a kind of a dirt courtyard past the gates. It was sloping dirt and gravel, and they had a basketball court, and there was a green shack in the middle. I said, “Warden, what is this? What is that building?” He said, “That’s where our gambling is conducted.” I said, “Oh, is that right? We have gambling in prison?” He said, “Yes, we do. Come with me. I’ll show you.” So I walked into this building. They had dealers with green eyeshades on and their sleeves were pulled up like you see in the movies. They were dealing cards, and I said, “What in the world are these guys doing?” He said, “This is how they pass their time. Besides that, they learn how to become dealers.” I said, “They can’t become dealers because they are felons, so they’re not going to become a dealer.” I said, “This is not the right thing to do.” Then one of the fellows I helped put in jail was there, and he said, “Warden, have you invited Mel to lunch?” He said, “Yes, I have. I’ve invited him.” He said, “Well, that’s good, that’s good.” He was running the gambling in the prison. I said, “This is not the right thing to do because first of all, these guys earn only 10 cents an hour or something like that, and they

use it to gamble in this guy's gambling casino?" I immediately went back and put in a bill to eliminate gambling in the Nevada State Prison. It was killed, interestingly. But the next year, gambling was taken out voluntarily. That was not the right thing for these guys to be hanging out in a casino, losing all their money. They don't make any money in the first place, but that's where they were all hanging out. It was a little green shack. I thought, "This is not the right way of doing business." So I don't recall what happened, but my bill was killed. And then the next year they took it out.

A.B. 218 (1967) would have prohibited gaming at the Nevada State Prison. The bill died on third reading in the Senate.

Bennett: I had no idea. That's interesting.

Close: Since that time, they've improved the prison a great deal. They black-topped it and have basketball courts and things like that. But this was incredible. It was just a gravelly old place where you'd play basketball and gambled.

Bennett: Well, we're getting close to the end of the tape. Is there anything else that you would like to mention about your legislative service?

Close: I appreciate having the chance to talk to you and give you some of my thoughts and my experiences in Carson City.

Bennett: Thank you. I really appreciate you taking the time.

Close: Thank you.

INDEX

- A.B. 218 (1967). *See* prohibition of gambling in Nevada State Prison
- A.B. 86 (1969). *See* personalized license plates
- A.B. 382 (1969). *See* counties empowered to deal with civil and equal rights
- A.B. 582 (1969). *See* fiscal notes for legislative bills
- A.B. 683 (1969). *See* compensation for victims of crime
- abortion, 16
- apartment, 8
- Assembly Committees
 - Judiciary Committee, 1-2, 10-11, 15, 17-19, 31
 - Ways and Means, 2, 17-19
- attack ads, 22-23

- Basque dinner, 14
- Bilbray, James H. (Senate, U.S. House), 21
- bill draft, 3
- bill drafters, 10-11
- Bowler, Austin H. (Assembly), 7, 8, 11
- Bryan, Richard Hudson (Assembly, Senate, Attorney General, Governor, U.S. Senate), 6, 29
- Bunker, Vernon E. (Assembly, Senate), 2, 8

- Caesar's, 18
- camaraderie in evenings, 26-27
- campaigning, 4-5, 22-23
- Capitol Building, 1, 3
- caucus meetings, 13
- change in Legislature over time, 23-24
- Combined Senate and Assembly Judiciary Committee hearings, 16
- compensation for victims of crime, 30
- corporate gaming, 18
- counties empowered to deal with civil and equal rights, 6
- Criminal Code Revision Committee, 25-26
- criminal code revision, 24-25

- Davis, Sammy, Jr., 6
- Delta Restaurant, 27
- Dini, Joseph E., Jr. "Joe" (Assembly, Speaker of Assembly), 12
- District Attorney, Assistant, 5
- Dungan, Flora (Assembly), 9
- Dungan v. Sawyer* (1965). *See* reapportionment of Legislature and Board of Regents
- Dodge, Carl F. (Senate), 7, 21
- Daykin, Frank, 10-11
- Democrats, 4-5, 9, 12-13

equal rights, 16

financing of state, 18

first day in Legislature, 1

first committee minutes kept in Legislature, 2

fiscal notes for legislative bills, 6

gaming bills, 17-19

gaming code, revision of, 17-18

Gardnerville, 14

Gibson, James I. (Assembly, Senate), 7, 8, 19, 21

Harrah's, 18

Henderson, 19

hiding bills in desk, 20

impact of holding office on family, 13-14

Jones, Clifford A. (Assembly, Lieutenant Governor), 21

Jones, Herbert M. (Senate), 21

Lake Adair. *See* Lake Las Vegas

Lake Las Vegas, 19

lawyer, 2, 5

LCB Bulletin 66, "Revision of Nevada's Substantive Criminal Law and Procedure in Criminal Cases," 25-26

LCB Bulletin 81-1, "Regulation of Gaming," 18

Legislative Building, 12

Legislative Commission's Subcommittee for the Study of Gaming, 18

limits on campaign expenditures for specified offices and requires reports, 22

limits on campaign expenditures of State Senators and Assemblymen, 22

lobbyists, 12, 21, 26-27

McDonald, Russell, 10-11

meeting rooms in Capitol Building, 1-2

meeting rooms in Legislative Building, 16

mentors, 1, 7-8

MGM, 18

mining, 28

motels, 8

Nevada State Prison, 31-32

gambling in, 31-32

Old Assembly Chambers, 1

partisanship in Legislature, 12-13
party control, 23-24
personalized license plates, 30
prohibition of gambling in Nevada State Prison, 32
proportionate representation, 9-10

Raggio, William J. (Senate), 27-28
reapportionment of Legislature and Board of Regents, 9, 24
reapportionment, impact of, 9-10, 23-24
reporter, 3
Republicans, 5, 9, 11-12
Roe v. Wade (1973), p. 16

S.B. 275 (1971). *See* State Environmental Commission
S.B. 162 (1973). *See* limits on campaign expenditures
S.B. 335 (1975). *See* limits on campaign expenditures, requires reports
Senate committees, 11, 12, 15

 Finance, 17

 Government Affairs, 17, 24

 Judiciary, 15

Slattery, James M. "Slats," (Assembly, Senate), 26

Speaker of Assembly, 11, 13

staff, relationship with, 10-11

State Environmental Commission, 6, 28-30

 Chair of, 6, 28-29

State Forester, 28

Swackhamer, William D. (Assembly, Speaker of Assembly; Secretary of State), 2, 11

tax shift, 16-17, 19

trading bills, 20

United States Attorney, Assistant, 5

Virginia City, 14



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