Oral History Interview

with

HON. LeROY E. LYON, JR.

Contract Lobbyist, 1976 - present
Assistant General Counsel and General Counsel,
California Railroad Association, 1955 - 1975
California State Assemblyman, 1953 - 1955

March 17 and 31, 1988
Sacramento, California

By Jacqueline S. Reinier
Oral History Program
Center for California Studies
California State University, Sacramento
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None

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Interviewees are chosen primarily on the basis of their contributions to and influence on the policy process of the state of California. They include members of the legislative and executive branches of the state government as well as legislative staff, advocates, members of the media, and other people who played significant roles in specific issue areas of major and continuing importance to California.

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John F. Burns
State Archivist

July 27, 1988

This interview is printed on acid-free paper.
LeROY E. LYON, JR.
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INTERVIEW HISTORY

Interviewer/Editor:

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Director, Oral History Program
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Interview Time and Place:

This interview took place in two sessions on March 17 and 31, 1988 in Mr. Lyon's office at 925 L Street, Sacramento, California.

Editing:

The draft transcript of the interview was submitted to Mr. Lyon for review. He made only minor editorial changes in the draft.

Papers:

Mr. Lyon is still a working lobbyist in Sacramento and has not decided where to donate his papers.

Tapes and Interview Records:

The original cassette tapes and draft of the transcript annotated by Mr. Lyon are located in University Archives Oral History Collection at The Library, California State University, 6000 J Street, Sacramento, California 95819.
BIOGRAPHICAL SUMMARY

The Honorable LeRoy Edward Lyon, Jr. was born in Anaheim, California, December 4, 1920. His father, LeRoy E. Lyon, Sr., a native of Colorado, migrated to Orange County in 1912 for his health. He planted an orange grove and became active in cooperative marketing, eventually becoming Vice President of Sunkist Growers, Inc. He also was elected to the Orange County Board of Supervisors in 1932. Both he and Mr. Lyon's mother, Mildred Laney Lyon, participated in Orange County civic activities throughout their lives.

LeRoy E. Lyon, Jr. was educated at Placentia Union Grammar School, Fullerton Union High School, and Fullerton Junior College. In 1942 he graduated from the University of Southern California with a Bachelor's degree in geology. After his service in World War II, he attended University of Southern California Law School from which he received his LLB in 1949.

In 1942 Mr. Lyon worked for the U.S. Geological Survey in Washington, D.C. in a photogrammetry project making aeronautical flight charts from army air corps aerial photography. While in Washington he met and married Martha Jane Seymour. After his marriage on April 15, 1944, Mr. Lyon joined the U.S. Navy as an ensign and was engaged in photo interpretation work which took him to the island of Guam. Although he served in the naval reserves after 1946 while he attended law school, Mr. Lyon was recalled to active duty as a lieutenant in the Korean War in 1950. He continued in photo interpretation and intelligence gathering work, and served as a research officer during the United Nations truce talks at Munsan Ni and Kaesong.

Mr. Lyon had been active in Republican politics while in law school and as a young lawyer worked for the firm of Powell and Banyard, as a member of the Orange County Young Republicans. He served as Orange County co-chair of Richard M. Nixon's campaign for the U.S. Senate in 1950, became President of the Orange County Young Republicans the same year, and served as a member of the California Young Republicans Executive Committee, 1949-50. In 1952, while still in the navy, he campaigned for the California assembly. After winning the primary in June, 1952, he was elected as a Member of the Assembly from the Seventy-fifth District in November, 1952. Mr. Lyon served in the California assembly for two terms from January 1953 until his resignation in July, 1955. He served as vice chair of the Industrial Relations Committee and as a member of the Education, Judiciary, and Social Welfare Committees. In his second term he was a member of the
Ways and Means Committee.

In July, 1955, Mr. Lyon resigned from the legislature to become Assistant General Counsel for the California Railroad Association, serving as a lobbyist for the California railroads in both Washington, D.C. and Sacramento. In 1967 he became General Counsel for the California Railroad Association, and focused most of his time on the California state legislature. In 1975 he left the railroad industry and became a private contract lobbyist with A.E. Davis and Co. in Sacramento, a position he still holds in 1989.

Mr. and Mrs. LeRoy E. Lyon, Jr. are the parents of four children: LeRoy Edward Lyon III, born February 13, 1947; Sylvia Jane Lyon Foster, born November 27, 1949; Janet Lee Lyon White, born August 24, 1952; and Rebekah Ann Lyon Gralian, born August 25, 1955. The couple continues to reside in the Sacramento area.
I. BIOGRAPHICAL BACKGROUND

Early Days in Orange County

REINIER: Mr. Lyon, I understand that you are a native Californian.

LYON: Yes, that's true. I was born in Anaheim, California, Orange County, December 4, 1920.

REINIER: And were educated there?

LYON: I was educated in the Placentia Grammar School, the Fullerton Union High School, the Fullerton District Junior College, even though we had an Anaheim mailing address, Rural Route 3, and an Anaheim telephone number. Our orange grove was kind of at the apex of a triangle so that we were in that particular mailing and telephone district but we were in the Placentia and Fullerton school districts. I used to ride a bus back and forth, obviously, because our orange grove on which I was raised was about three miles from the Placentia Grammar School and about six miles from Fullerton Union High School.

REINIER: And it was all country in those days in Orange
County?

LYON: It was, I'd say, probably 75 to 80 percent rural territory because you had long distances between Santa Ana, for example, the county seat of Orange County, and Anaheim and Fullerton and Garden Grove. Down along the coast you had Huntington Beach, Seal Beach, Sunset Beach. Up in the northwestern part of the county you had La Habra, Buena Park. Over in the northern part Brea over to Yorba Linda. And every one of those was a distinctly separated community. Most all of them, as I recall, were incorporated communities with the exception of Yorba Linda. That was the only one I can think of. But, it was essentially rural.

The orange grove that I was raised on was planted by my father. In fact, my father and his brother-in-law to be and his father-in-law to be, all of whom had come out to California before my mother and father were married, jointly planted the thirty-three acres of orange grove. And then each family had about a third of that. So it was all home grown, so to speak.

They actually grew their own nursery stock and had that growing while they were raising
sweet potatoes in the bare land. And then they raised sweet potatoes between the rows of young orange trees until they were five or six years old and beginning to mature to produce fruit. Because an orange tree won't produce marketable fruit until it's probably six, seven, or eight years old, the sweet potatoes provided their income.

LeRoy E. Lyon, Sr.

REINIER: And your father came out from Colorado as a young man to California?

LYON: He came out about 1912 when he would have been twenty-eight. He was born in 1884.

REINIER: And he came for reasons of health?

LYON: That's true, he did. He was advised to do so by his doctors in Boulder, Colorado where he'd gone to prep [preparatory] school when he was the age of eighteen, coming out of the northern Colorado ranching country which is very high in elevation. Jackson County, where Walden is the county seat, is over 8,300 feet over sea level at the lowest point. And it's more arctic a lot of the time than Anchorage, Alaska is, believe it or not. My dad told me when I was a little kid that they actually had to use alcohol
thermometers on the ranch because a mercury thermometer freezes at forty-two to forty-four degrees below zero. And they had temperatures below that.

REINIER: So your dad was a cowboy when he was growing up?
LYON: That's right. He was raised in cattle country and knew it all very well.

REINIER: And he was a crack shot.
LYON: That's true. He had a marvelous reputation as a marksman. As I was growing up that's all I knew from the time I was old enough to remember. He had learned to shoot in the cattle country, having been taught some of the tricks of the trade of revolver pistol shooting by a ranch hand who had been in his earlier youth something of a desperado, I'm told. I don't remember his name. He taught my dad a lot about it and my dad had a great natural talent and retained that talent until his upper, middle eighties. He could still shoot very well. And he was a national champion in many matches with the pistol and the revolver.

REINIER: He won many medals, didn't he?
LYON: He did. I think he had over 125 gold, silver and bronze medals that were National Rifle
Association match medals. He was a life member of the National Rifle Association. So, I grew up on an orange grove that had a pistol and revolver range that had weekly matches by the Anaheim Pistol and Revolver Club which my father had founded. And my mother also was an outstanding woman marksman. My dad taught her how to shoot and she has a lot of medals and trophies that she won in her own right.

REINIER: And did you shoot, then?

LYON: Well, they taught me and my brother [William DeWitt Lyon]; there were just two of us boys that grew up on the ranch together. They taught us both how to shoot and we both learned how to do it quite well. But I didn't either have the time or make the time to pursue it as a hobby for as many years as my dad did. I never shot competitively, although I shot with him with policemen on police ranges, and was able to do as well or better than most of them.

REINIER: Now your dad was deeply involved in the [agricultural] cooperative movement.

LYON: Well, Sunkist [Growers, Inc.] as it's now known. . . . earlier it was known by the name California Fruit Growers Exchange at the time my
dad was on the board. He was on the board for many years representing his Olive Heights citrus packing house and the Orange County Fruit Exchange which was a group of a dozen packing houses or more. He was their representative on the central board of Sunkist. With his legal training in the University of Colorado Law School (although he didn't graduate because he had to move to California because of health reasons) he made great advantage of his education and was very active on that board in pursuing improvements in the relationship between agricultural cooperatives and government.

REINIER: That was during the New Deal?
LYON: Yes. Well, [President Franklin Delano Roosevelt] FDR came in in March of 1933. That was the same year that my dad was elected; they were both elected in '32. My dad was elected to the Orange County Board of Supervisors that year. So, my dad was an active rancher; he was active on the school board; he was active on the Farm Bureau Tax Committee. Because of all of those civic involvements along with being very busy raising a family, raising an orange
grove and running the water company [Pilot Water Company] that he founded to supply the water to the orange groves in the neighborhood. He was so active in those things that he was really pressed into public service to run against an incumbent who'd been there for twenty years and many people felt needed to be put out to pasture. And my dad beat him.

REINIER: He was a Republican, right? Your dad was.

LYON: Yes, my dad was a lifelong Republican, although the supervisor's race is, as you know, a nonpartisan race. So he, as a conservative Republican, was elected supervisor in the same year that Roosevelt was elected president by a landslide, as I recall.

REINIER: So, did he find it difficult to engage in the New Deal policies under the Agricultural Adjustment Act? Did he resent that kind of legislation?

LYON: No, actually the Agricultural Adjustment Act had some very, very favorable aspects as far as marketing citrus was concerned. My dad, in addition to his duties as a member of the Sunkist Board of Directors, sat on what was called an industry prorate committee that met
weekly to set the volume of rail car shipments of both oranges and lemons from California and Arizona to markets throughout the United States. That was a program under the AAA [Agricultural Adjustment Act] to stabilize income for citrus ranchers so that they wouldn't all be dumping their produce on the markets at one time. It provided not only a more uniform level of income for the rancher, but it provided a more uniform level of price in the market place for the consumer. So that was actually a New Deal program if you want to use the term New Deal. It was enacted during the thirties.

The only problem my dad had professionally with the New Deal was the attitude of Thurmond Arnold and some of those in the Department of Justice who just didn't like or understand agricultural cooperatives. They tried to force industrial-type rules and regulations on them, which are inappropriate and unworkable. So, to that extent, I was raised on some very interesting educational background, you might say, on how government does work with cooperatives. Of course, that was the hey day of union growth and Thurmond Arnold was a strong
advocate, as was FDR, of union organization and union growth. They just didn't understand the nonunion agricultural cooperative frame of mind.

But that's just one part of the whole picture. My dad was a well known authority in raising and marketing oranges, and he ended up being the first vice president of Sunkist. When he retired, when he sold his ranch in 1959-60, he then retired from the board of directors and as first vice president. He had a long and very respected career as an authority in the orange business.

REINIER: He was quite an influence on you while you were growing up, too, wasn't he?

LYON: Well, there's no doubt about that. Among his many talents he was a very natural teacher and he was very, very family oriented. He took a great interest in working with and teaching both my brother and me a lot of what we know. I felt that I learned more about economics and government and politics and about people, relationships with people, in growing up with him, irrigating the orange grove together, sitting on the bank talking about politics and things, all the way up through law school.
Because during law school, after the family moved into town, I and my wife and our young son occupied the old ranch home on the orange grove. So we had a lot of time together; we always had.

When I was going to college, we used to drive back and forth to Los Angeles at least one way once a week. So we'd visit about what was going on in Sunkist, what was going on in the government, how the legal battles were going on to protect the cooperatives. So I had a remarkably fortunate opportunity to learn from a father who was a very gifted teacher along with his other talents. He was never a professional teacher, but he just had the knack for conveying what was going on and getting you to think about it. He never forced his ideas on me; he just convinced me with the logic and depth of his discussion.

REINIER: Well, your mother [Mildred Laney Lyon] was quite a distinguished individual too.

LYON: Oh yes, she certainly was very active in community affairs. She helped my brother and me with taking what was called expression or elocution lessons so we learned how to speak in
front of public groups. We learned poetry and that sort of thing, Edgar [A.] Guest type of poems by the dozens. So we used to do a lot of that from the age of seven or eight, somewhere in that neighborhood, up until about twelve or thirteen, during that period of time, elementary school age. My mother's still living at eighty-nine. My dad passed away at 102 January 7, 1987.

REINIER: And didn't you say that he was robust until ninety-six?

LYON: He was very physically active and very mentally sharp until ninety-six. It wasn't until after that that he started to go down hill. The interesting thing about that is that he was not expected to live very long and had to leave law school, as I said earlier, to go to California to work outdoors where he could perspire and they thought it would be much more healthful. He very rigorously followed the doctor's orders; he lived a very clean, healthful life. And it certainly amazed everybody. He outlived all the actuaries that said he couldn't live to be thirty.

Education and Military Service
REINIER: Well now, even with all this background in law, when you went to USC [University of Southern California], you majored in geology.

LYON: Well, that's true; but it's kind of interesting because from the time I started high school all my curriculum was planned toward going to law school, toward going to college first, of course. So we kept talking about prelegal subjects and, of course, in high school you take everything you can get your hands on. But in junior college I had to have a science requirement. I was still planning to go to the University of California at Berkeley like a lot of my classmates out of Fullerton High had done. But in junior college I had to take a science course and somebody suggested geology would get three units of science, so I signed up for geology. It turned out to be so fascinating and the teacher that we had was so good, and she also involved students in an extracurricular geology club that took a couple of field trips per year, that when I got up to SC [University of Southern California] I continued to minor in geology. I was still taking an economics major which was thought, along with political science
courses too, to be a good way to prepare for going to law school.

But the summer between my junior and senior year at SC I had an opportunity, thanks to my dad again and mother, to make a quick trip; we just took about a four day trip to see the Grand Canyon. My father had just returned from a quick trip to Colorado to take a niece of his back to her home in Walden. He saw some of this country and he said, "We just got to go back and see it," because my mother and I and my brother had never seen it before. My brother wasn't living at home then; he'd already gone to Carnegie Tech [Carnegie-Mellon University] on a Westinghouse scholarship. So we made that trip; and I was so fascinated with what I saw, digging fossils out of the Kaibab limestone at the rim of the Grand Canyon and all, that I came back and I was able to arrange to change my major technically to geology. Get freshman surveying, freshman chemistry, couple of other courses; and I got a waiver on a course or two. In one year's time, I did all that, and actually got my A.B. [Bachelor of Arts degree] in geology.

REINIER: Now that was just about the time of Pearl
Harbor, wasn't it?

LYON: Pearl Harbor hit exactly in the middle of my senior year, of course, December 7, 1941. I was out in the Santa Monica mountains doing a field trip that day and didn't know until I came back that night that the war had started.

REINIER: So you were just about the right age to go off to war?

LYON: I was twenty-one. I was just three days past twenty-one when Pearl Harbor was hit. Of course, I signed up for the draft whenever we were supposed to do that, can't remember just when. The number I had didn't require me to be called up until, fortunately, I had graduated in June of '42. I had three job offers. One a fellowship with Michigan State in East Lansing to do graduate geology work. One with the American Smelting Mining Refining Company in Salt Lake City to become a hard rock miner, which I wanted to do. And the third job was with the geological survey [U.S. Geological Survey] in Washington, D.C. in a photogrammetry project where they were making aeronautical flight charts from aerial photography that the army air corps was bringing back. So I opted
for that job and spent almost two years, twenty-one months, with the geological survey. Met and married my wife [Martha Jane Seymour] in Washington. One month to the day after we were married I was sworn in the navy as an ensign and went into photo interpretation work for two years in the navy, which took me to the island of Guam for a year.

REINIER: So you served in the intelligence field then?
LYON: Well, it's related to that. Then skipping a few years, after law school was over, I got recalled in the Korean War. I still had my designation as a photo interpreter which was a navy ground officer classification. But when I was called back, I was called into an amphibious command and I was put into the intelligence section under an intelligence officer. So it was closely enough related although it was a little different. I was not in naval intelligence per se, but it was a kind of intelligence gathering work.

REINIER: So during World War II you were in Guam and then you were in Japan at the end of the war?
LYON: After the war was over, I was assigned to the Tokyo area to serve as a photo interpreter with
an advanced photo group unit that was taking photographs of areas of Japan that they hadn't previously photographed. I was only a month there. I was running out of points, or running out of time in the navy on points I guess, so I got rotated back to the states in January or February of '46. Actually, I wasn't running out of points. I didn't actually finish my points until about March or April of '46, but I was rotated back to the states for reassignment. I guess the whole photo interpretation thing was closing out; that was it. I haven't thought about this for a long time.

REINIER: So then you went to law school. Then you were ready, like many GIs, to start your life in a hurry.

LYON: USC was really loaded with three different classes, A, B and C classes of freshmen law students starting in September '46. I was fortunate to be one of that group. Spent the next three years going to law school during which time I was with the naval reserves at the Los Alamitos Naval Air Station. Did "weekend warrior" work for those three years, and my first year of law practice I continued to serve
with them. And that's how I got recalled into the Korean War in the fall, actually October of '50.

REINIER: So like many other GIs you started a family right away.

LYON: Our first child, our son [LeRoy E. Lyon III], was born the first week of the second semester of my freshman year in law school. Which was a very convenient time, on the one day that I didn't have an 8:00 A.M. class. I was commuting thirty miles each way each day from the ranch to law school. Those were busy days.

II. YOUNG REPUBLICANS AND RICHARD M. NIXON

Young Republicans

REINIER: And you still found time to be involved in the Republican party during those years.

LYON: During my first year of law school, which was 1947, the Orange County Republican leaders thought it would be a good idea to reactivate what had existed prior to the war, that is a Young Republican organization. Somehow or other I was invited to a meeting where they were starting to reorganize, and I got involved in it. I participated in it from that point until
after I got out of law school and was in law practice. I was elected county president as were some of the other people I worked with. I went to practice law with a partnership, one of whom was the first president of the postwar Orange County Young Republicans, a gentleman by the name of Robert Banyard, who then for many years served as superior court judge and retired about five years ago. He's still living in Orange County as far as I know.

REINIER: So, in 1950 it was Banyard and Powell, is that right?

LYON: Yes, it was called Powell and Banyard, but those are the two. [Robert] Bob Powell was a little older than Bob Banyard. They were both in the same legal branch of the air force. And they had both been stationed at Santa Ana Army Air Base. I think also in Arizona in some capacity.

REINIER: Were they also involved in Young Republicans?

LYON: Bob Banyard was; he was quite a bit younger than Bob Powell. So, Bob Banyard and I got acquainted during that period when I was in the last half of law school. He invited me to join them when I passed the bar and that's what I did. I started to practice with Powell and
Banyard in January of 1950.

REINIER: Well, what were the Young Republicans doing in those years?

LYON: Well, getting acquainted all over the state. Some of my classmates in law school were [Patrick J.] Pat Hillings and [William] Bill Price. Pat Hillings and Bill Price were both in one of my classes or two or three of them. Pat Hillings was the young attorney who ran for and was elected to succeed Richard [M.] Nixon in Nixon's congressional seat when Nixon was running for and getting elected to the United States Senate in the 1950 campaign. So Hillings went literally right out of law school into congress. He was only twenty-eight, I think, when he got elected. He got into law school at a younger age than I did because he was in the service earlier. Bill Price then was his administrative assistant in Washington, a brilliant lawyer, too, for many years. I had the pleasure of visiting them quite a bit in the years between '55 and '65 when I was doing a lot of lobbying back there.

But, let's see. An undergraduate whose name was quite a household word on campus but
whom I didn't meet until later was a fellow by
the name of Jesse Unruh. He was active in
undergrad politics and elected to some kind of
nonorganization board; I forget what the
details of that were. I remember the name Jesse
Unruh very well because he was active on campus.
We had a lot of classmates who became judges.
Another classmate [William A.] Bill Munnell
preceded me by two years into the state assembly
from the Montebello area. So anyway, those were
fast-moving years.

REINIER: But you were very active in Nixon's campaign,
Richard Nixon's campaigns, during that time.

LYON: Well, that's true. When I started to practice
law in Santa Ana in January of 1950, it wasn't
long before somebody asked me if I would serve
as cochairman for his campaign for the United
States Senate, just in Orange County, of course.
I was learning to practice law and was given a
lot of latitude by Bob Banyard with whom I grew
up in the Young Republican movement. So that
was very interesting. Of course, I had
followed Nixon's career very closely when I was
going to law school and felt very privileged to
work in that campaign. I got to know people all
over the state.

A gentleman who became a controversial figure, but who was a very capable campaign manager and in my judgment, based upon what I knew at the time, a lot more ethical than history gave him credit for being, was Murray Chotner. Murray Chotner was a darned smart campaign manager and I felt that that campaign was very well run and very honestly run and very ethically run. A lot of Nixon's critics say that [Congresswoman] Helen Gahagan Douglas was unfairly treated. In my judgment she was treated exactly the way she ought to have been, the way she deserved, and she was what they said she was.

Richard M. Nixon and Anti-Communism

REINIER: Well, this was, of course, the period of anti-Communist agitation.

LYON: Well, there was greater awareness, that was true, of what the Communists had been doing. Of course, Nixon had been instrumental almost single-handedly in exposing Alger Hiss for what he was. It was too late to get him on anything but perjury before the congressional committee. But...
REINIER: That's when Nixon was on the House Un-American Activities Committee.

LYON: That's true. He got on that committee in his first term in congress. I guess he was in his first term when that Hiss case came up. But, those were very lively years. There was a vast difference in the way Nixon pursued very carefully and very methodically as a good lawyer his interrogation and his investigation of Communist activities and Senator [Joseph] McCarthy, who obviously was not as careful. I don't think McCarthy was any less honorably motivated than Nixon, but I think he did make mistakes. He exaggerated on occasion and then he lived to pay for those exaggerations in terms of numbers of accusations that he made. But... 

REINIER: Well now, in 1950 was there real evidence that Helen Gahagan Douglas was a Communist?

LYON: Well, how do you define what's real evidence of that? I don't know. Looking back--that's a long time ago--her votes in congress clearly indicated an extremely liberal position. The House Un-American Activities Committee had abundance of information on Communist activity
in the Hollywood community. I'm no authority at this stage looking back, but I was very well versed in what Communist infiltration was, what it meant. I had learned from people who were very active in investigating that sort of thing. So, in my early and middle thirties, I felt very competent to make those judgments. And it was my considered opinion then that there wasn't any question that Helen Gahagan Douglas was exactly what Nixon said she was.

REINIER: You said you'd learned from people. Who was your tutor in this area?

LYON: Well, I had a number of people who were well qualified to inform me. So, I don't know that it would serve any particularly instructive purpose to say who individually if I could even remember the names. But there were several people. I worked with some organizations that were collecting data, that worked very closely with the FBI [Federal Bureau of Investigation]. There isn't any doubt that I had access to the information that was valid.

REINIER: What organizations?

LYON: Well, the FBI was the one that gathered the information that was made available. I think
that's the most credible. The others wouldn't mean anything to anybody.

REINIER: And the FBI made the information available to members of a certain political party?

LYON: No, no, it had nothing to do with political party, it was just a matter of... Well, if you're talking about the House Un-American Activities Committee, what they got from their sources was certainly nonpartisan. It was a bipartisan committee; it was a congressional committee and...

[End Tape 1, Side A]

[Begin Tape 1, Side B]

REINIER: We were talking about the House Un-American Activities Committee and the FBI. And the FBI made information available to the committee. It was bipartisan you were saying?

LYON: Well, that's my understanding. I didn't have any personal connection with the House Un-American Activities Committee but I used to read and listen, read a lot about what was going on at the time. I read some of their reports. I talked to people who knew what was in files that I never saw. But, of course, you coordinate what you hear and read from different sources
and get a composite picture. The picture I had was no different than others who were spending more time in it than I. I mean that was only, you might say, a part-time hobby or avocation of mine at the time, but was all part of the political learning process. So, I felt that people from whom I gained information were well qualified to say that Helen Gahagan Douglas was at least voting and working in harmony with the Communist party's program at that time. Whether she carried a card or not is irrelevant.

REINIER: Nixon charged, didn't he, that her voting record was similar to the Communist party line?

LYON: That's basically it. I have no knowledge whether she was or wasn't a formal Communist. But you know, from my point of view then and now, that doesn't make any difference. It's how you vote and how you work.

REINIER: You know, she also supported migrant labor, if I remember correctly. And I have always wondered how the anti-Communist issue was linked to labor issues in that time period.

LYON: Well, I can tell you one example. We had some severe labor unrest in the orange picking aspect of ag [agricultural] labor in Orange County and
nearby counties in the middle thirties. I'm trying to think... a name came to my mind, but unfortunately the name that comes to mind is a well-known author who wrote about Communist activities. But there was a Mexican labor leader... The name [ ] Toledono comes to mind but Ralph De Toledano was the author I just referred to. But there was a well known Mexican labor agitator who was not native to Orange County who was a part of the problem and who was agitating and inflaming the Mexican orange pickers.

A lot of people never understood a fact of life in that area and in that industry or in agriculture generally. You could not even in the depths of unemployment in the thirties get white Caucasian young men, or men of any age, to work as orange pickers, or lots of other kinds of agricultural labor in California, for more than a few days at a time. They quit. It was hard work. Mexican men, and young men, would come in and they would do it and do it well and stay with you all summer long. And they weren't organized by the unions. These, what we called outside agitators because they had that effect,
tried, but never succeeded in organizing these people. The workers were well treated for the most part by employer groups. They were provided housing and labor camps in Orange County that were much better than a lot you read about. I never saw the bad ones, but I know in Orange County we had well run ones. We had organizations that cooperated very effectively with the federal government, with the Mexican government, in importing the seasonal labor from Mexico.

REINIER: Was this in the thirties that you're talking about?

LYON: This was in the middle thirties. There were some very serious confrontations between people who got beat up with chains, ranchers who got beat up with chains because they resisted the outside influences I just referred to.

REINIER: Who were those outside influences?

LYON: Well, this Mexican labor leader Toledano if that's the correct name. He and those that were working with him. There was no agitation from within the labor group in that area of California for unionization. Agitation came from outside to stir them up, to try to convince
them that they were being oppressed, which they weren't.

REINIER: This was before the bracero program because that wasn't started until '51.

LYON: It didn't start until '51? Well, they had different versions of it long before that. In the middle thirties I think most of those Mexicans probably were local citizens, but there still were Mexican people coming over. I just have no recollection of any knowledge at the time of who were legal or who were illegal. Maybe that term didn't develop until some years later. But, there were labor programs that were enacted before 1940, I'm sure, by the federal government to prevent the importation. . .

REINIER: For Nixon do you think that there was a connection between the labor issues and the anti-Communist issues?

LYON: I wouldn't think so. I have no recollection of relating those facts at all. Nixon's interest in and involvement with the Communist problem, I think, grew out of his initiation into the House Un-American Activities Committee work on Capitol Hill. I don't think that he had any involvement that I'm aware of prior to his going to
congress. He was a lawyer and he was in the navy and then he went right from the navy into congress.

REINIER: He wasn't using issues like that in his 1946 campaign against [Congressman H.] Jerry Voorhis?

LYON: I don't remember. He may have. Jerry Voorhis had a very liberal voting record. I think from the point of view of those of us who were close observers, maybe not detailed students, of all the facts that you're striving at, considered Voorhis probably pretty close ideologically, as far as his voting record was concerned, to Helen Gahagan Douglas. They were both members of congress at the same time, roughly. Well, let's see. Voorhis, of course, was defeated in '46 [served in congress from 1937 to 1947]. She was a congresswoman and defeated in '50 [served in congress from 1945 to 1951]. I don't remember when she went to congress; you've probably researched that. You're asking a lot of detailed questions there that were not of any concern or interest in that context at the time we were getting involved in politics.

Richard M. Nixon as a Young Candidate

REINIER: Well, what was attractive about Nixon to you?
You found him a very attractive young politician, didn't you?

LYON: Well, he was exceedingly bright, exceedingly eloquent. To me as a young student in law school, he had a speaking voice that was tremendously compelling. It held your attention. He had a manner of speaking and telling a story of what was going on. I used to go and listen to his speeches in the area when he came back from congress and would tell about what he'd been doing; for example, the Alger Hiss case. Of course, I didn't have any brief for Alger Hiss once I'd read about him. I don't think I even probably ever heard of Alger Hiss prior to the end of World War II. I knew that he was part of the United Nations organizing group in San Francisco, but that was after the war. I was busy going to law school and getting a family started. I really don't recall ever focusing on him as a politician or a person until the Nixon involvement in the House Un-American Activities Committee hearings. So I can't shed any more light, I guess, on that.

REINIER: I'm interested in what Nixon was like as a young candidate to someone like yourself.
LYON: That's interesting. As I say, he was very compelling to listen to; he made tremendous good sense to me. In other words, he spoke a language that I understood. He came to the same conclusions based upon the same kind of evidence that I would have come to. Only I had the fascination of realizing that here's a man capable of doing it a lot better than most. He spoke for, fought for, the same ideals in government that I did. And he carried the same beliefs. And he had the same recognition of what was going on or what wasn't going on in government and politics around us. To me he had his eyes open. The people he was combating didn't have their eyes open. They didn't see what was going on, didn't want to see what was going on.

You know, Nixon, that's another long story, but as far as I'm concerned, the lifelong battle that he had in politics and his ultimate fall were the result, more than any other single factor, of his successful effort to pin the responsibility on Alger Hiss for what he did and for what he was. And the fact that Alger Hiss, who was the darling of the liberal establishment
in Washington, D.C., was convicted was an albatross around Nixon's neck, in a sense, because the liberal media never forgave him. The liberal cartoonists never forgave him. He was unmercifully caricatured in the meanest sort of way. It was more than literary license. You're getting my own personal, biased opinion. But that's the politics I grew up on; those were the beliefs that I held. As far as I was concerned, and am concerned, there never was a shadow of a doubt about Alger Hiss' total guilt as a traitor to the United States of America. Unfortunately, he couldn't be punished as a traitor. They could only get him, because the statute of limitations had run, for perjury to congress. But because Nixon alone so clearly demonstrated his ability to successfully press for the truth when the investigation was just about to be abandoned, he incurred their everlasting wrath.

I'm not saying that what he did in office in his second term wasn't in large part responsible for his downfall also. But any other president doing the same thing would not have fallen because [Carl] Bernstein and [Bob]
Woodward persisted in their investigation of Watergate [break-in at the Democratic party headquarters] to a degree that had never occurred before, to my knowledge, in politics. Has never occurred since to the best of my knowledge although investigative reporters are doing a tremendous job. They did a good one on [Gary] Hart, candidate for president, former Senator Hart.

You asked me why I was attracted to Nixon. He came from my home county. He was born in Yorba Linda, not far from our orange grove. We had family friends. But I didn't know that until after I knew him as an eloquent speaker and a courageous congressman. I applauded his courage and I always did. I still respect him as one of the great men, one of the great politicians this country has ever produced.

REINIER: So he was kind of a role model for you when you were a young lawyer and he ran for the senate in 1950.

LYON: Yes. You could say that honestly. He was a role model. There are not too many people that young people look to as heroes nowadays, but for me he was a real genuine hero in the public sector.
Serving in the Truce Talks of the Korean War

REINIER: All this is in the context, of course, in 1949 and '50, of the Soviet atom bomb, the Communist takeover of China and the Korean War. The Korean War called you back into active duty, didn't it?

LYON: Yes it did. I'd been in law practice less than a year. Well, I guess my involvement with the Nixon senatorial campaign terminated on November 2nd or 4th or whenever, and it was in November that I was taken back into active duty.

REINIER: And then what was your role in the Korean War?

LYON: I served as a photo interpreter assigned to the intelligence section of the admiral's staff. The admiral was Admiral [I.N.] Kiland, who was the commander of Amphibious Forces Pacific, so it was called Comphibpacs. The intelligence officer was Commander [Edward] Ed Spruence, who was the son of Admiral [Raymond Ames] Spruence of World War II fame. And Ed Spruence was a fine gentleman. He was a former submarine commander. It was a privilege to work under him. I might say that he was very interested in the fact that I was involved in politics and that I had worked in the Nixon campaign because his father was a
strong Nixon supporter as a retired admiral living in Santa Barbara at the time. I remember his telling me that. So he gave me opportunities as we worked together.

We were all around the ports and harbors in South Korea doing intelligence survey work. We were in the harbor at Inchon early in July of '51 when we were called to general quarters. He started talking to me. He'd been up to a United Nations advance camp called Munsan Ni which was just south of the Imjin River. That was a camp that was being set up for the truce talks that had just barely gotten under way. He'd gone up to do an intelligence briefing and they asked him if he had anybody who could serve as a research officer on the staff there. And he said, "Gee, I think maybe I've got a guy. He's a lawyer and served as a photo interpreter." So he asked me that evening, would I be interested in going up there. I said, "Would I!" I had orders, and was on my way the next morning.

So I spent the next nearly two months as a research officer at the truce talks at that little tent city in the apple orchard. So I had daily contact with Admiral C. Turner Joy who was
the UN [United Nations] Commander of that operation. And the admiral from the navy was [Rear Admiral] Arleigh Burke and they had a General [Henry] Hodes of the army. They had a General [Lawrence] Craigie from the U.S. Air Force and they had a marine colonel. Those with Admiral Joy made up the United Nations delegation. And they were the negotiators that went to the table at Kaesong every day by helicopter to talk to General Nam Il and the others that were part of the Chinese-North Korean team.

I did get to Kaesong a couple of times and I took a number of pictures of those officials walking around between sessions. I was able to use those plus some of my other Kodachrome slides when I got home to prepare a talk that I used when speaking to the service clubs in the various cities of Orange County and San Diego County as kind of a navy PR [public relations] deal. That was after I got back, of course, from Korea in the fall of 1951.

Let's see, I got back in September of '51 and in December I announced my candidacy for the state legislature in the assembly. Of course, I
was still in the navy, but as a reserve officer I was permitted to run for office as long as I didn't get out and actively engage in campaigning. That following late winter and spring I had occasion to talk to service clubs all over the area because they were vitally interested in seeing somebody and hearing somebody who had actually been there. The truce talks were then still going on at a place called Panmunjon which was a little roadside stop on the way from Munsan Ni camp up to the Kaesong resort buildings, former resort buildings, where the truce talks were actually being held at that early time. Then Panmunjon became the locale after they built some buildings and raised tents. That's where they actually met for the next year or so until [President Dwight David] Eisenhower flew over after he was elected in November of '52 and ultimately brought that whole thing to a semiconclusion.

III. THE 1952 ELECTION

Campaigning for the Assembly

REINIER: Well, had you been planning for some time that you would run for the legislature?
LYON: Not really. I had thought about it in a vague sense. But it wasn't until the incumbent, an assemblyman from my district that included Fullerton and Anaheim—all of western Orange County as a matter of fact, northern and western Orange County—Sam [L.] Collins, had been in office there for a number of terms, I forget now, two, three, four terms I guess, announced his retirement. He'd been speaker for three terms; he must have been there more than that, maybe five terms [1941-1952]. Anyway, I know when I was in high school. . . . I was a senior when his son was a sophomore in Fullerton Union High School back in the thirties. Our family had known Sam Collins from early days because he was a district attorney when my dad was active in public life as a supervisor. Then Sam Collins was elected to congress for one term, I think it was in '32. And then it was some years after that he went to the state legislature.

But anyway, Sam Collins decided to run for the state senate and leave that assembly seat open. So that's how it came about that I announced my candidacy in December of '51 when I
returned from Korea. During the next three or four months we did a lot of that public speaking. It was good for the navy, they thought, and it was good for me, of course, as a way of getting around. I wasn't campaigning; I was just doing navy PR in all these Lions Club, Kiawanis Club, Rotary Club meetings.

REINIER: Well, you certainly were getting well known by doing that.

LYON: That's true. Not that I didn't have a pretty good exposure before, but it enhanced it greatly. Of course, my dad having been a county supervisor less than twenty years before, there were many people who knew and recognized the name based upon his public service.

REINIER: I read an article that said that you only spent three weeks in the district, but that really wasn't true, was it, because you had been. . .

LYON: The article probably referred to the fact that I took about ten days of leave time from the navy three weeks before the election in June to do some personal precinct walking, you might call it today. Actually, I simply went to selected communities where I knew I was least known, sought out the community leaders and visited
them and got their endorsements which we were able to use in ads that went into the local papers. And so that was the extent, really, of my personal physical campaigning. All the rest of it was done on weekends when I'd be home from San Diego and I would confer with my good friend the political writer for the Long Beach Press Telegram, a fellow by the name of [Robert] Bob Geivet, a really great guy who had been a cub reporter at the court house when my dad was a supervisor between '33 and '37. And he and I collaborated on the ads, the stories. I was my own campaign manager, believe it or not, and I was still in the navy full-time [Laughter].

REINIER: So you had the help of the press.

LYON: Well, I had a press man whom we paid, but a nominal amount, you know. He was doing this in his... It was totally unofficial. You see Bob Geivet was kind of an independent contractor. He wrote stories for other papers besides the Press Telegram and he did a lot of photography work. He'd taken pictures of us all over the county before I got into the navy in the Korean War when I was at law school and in the Young Republican activities in '48, '49, and
REINIER: Now your young Republican work must have helped you in running for the assembly.

LYON: You know, everything helps. You never know in advance how they're going to help you in the future. I just very much enjoyed getting acquainted with and working with those people in the Young Republicans on the statewide basis. I was on the statewide executive committee. I knew a young man by the name of [Joseph F.] Joe Holt who later went to congress. I knew Pat Hillings who went to congress. I knew. . . . Oh gosh, another one was [Patrick D.] Pat McGee. Pat McGee came to the assembly also. He had two sessions up here, two stints. And between that he was on the [Los Angeles] L.A. City Council. He was a lawyer by training, Pat was. I knew [Laughlin E.] Lock Waters, the U.S. attorney who left the assembly shortly after. He was in the legislature when I came up here in January '53. But all during law school I was in classes with his sister, Mary Waters. Lock Waters' older brother, Frank [J.] Waters [Jr.], had been in the legislature back when I was in high school. So, I knew the Waters family for years and
years. And another reason was that Frank Waters, the oldest of the two brothers that were in the legislature. . . . Oh, and Frank Waters and Lock Waters and Mary Waters' father had been a legislator. He was Frank [J.] Waters [Sr.] the elder, you might say. The older son, Frank Waters, had married a grammar school classmate of mine by the name of Rosemary Kraemer. The Kraemers were the millionaires of the county when I was in grade school. She was a very bright girl, a very handsome girl. So all those things, you just bump into people all over that you'd got to know.

REINIER: And your father must have known a lot of people as county supervisor.

LYON: That's right. He knew a lot of people and was highly respected by even those that had some political or philosophical difference of opinion. So, I was the beneficiary of a lot of going before me by my parents.

REINIER: And you have the same name as your father; that must have helped.

LYON: Identical name, that didn't hurt. I was fortunate that way, too. But I don't think anybody ever confused the fact. They knew that
the candidate was not my father, I think.

[Laughter]

REINIER: Now, I was interested, you were talking about June, 1952 as being the crucial election. That was the primary.

LYON: That was the primary. But you see that was the last primary in California where a candidate could file on both tickets under the cross-filing system. Cross-file and therefore appear on both the Democratic ballot and Republican ballot without any party designation. They never put party designation after the name of the candidate in those days. On the same November ballot that I was officially finally elected, having received both nominations in the primary, one of two initiatives passed. There were two measures on that '52 ballot. One was created by the legislature as an antidote to the other one that was repealing cross-filing entirely. I guess maybe that repealer was an initiative. It couldn't have come out of the legislature because the legislature passed one  

to negate that one if they could get more votes. And that one said, yes, you could cross-file but you'll have to put your "R" or "D" after your name on the ballot. And so, interestingly enough, the one to repeal cross-filing outright failed. It was defeated by the voters. The one the legislature put up as an antidote hoping that it would just get more votes than the other one and then prevail because of getting more "yes" votes, we're stuck with that one. And so it meant in '54 we did have a designation after a name. I only got about 30 percent of the Democratic vote, so I had a run-off that year. But I didn't have any problems.

REINIER: So that was the beginning of the end of cross-filing.

LYON: June of '52 was the last year of cross-filing as it had been known since about 1928; that was the last time.

REINIER: So you won both the Republican and Democratic primaries. Then what happened in November? You didn't have anybody running against you.

LYON: I was still in the navy. But because I got elected and it was all over, practically, they let me out three months early. I was getting
lots of mail and was having to get geared up to
get back into law practice and do something to
make a living. By August of that year I had
three children. Our third [Janet Lee Lyon] was
about to be born when I got out of the navy.
And the Orange County central committee asked me
to come back and manage the Eisenhower-Nixon
campaign for the county. So that's what I did.
As soon as I got out of the navy, I took over
and ran that until November.

REINIER: Fascinating.

LYON: I met a lot of people there and, of course, I
introduced Nixon all over the county at public
appearances. Not as many places as I did in the
senatorial campaign in '50, but we were still
involved in it.

REINIER: 1952 was a good year for Republicans, wasn't it?

LYON: I guess it was. They had a majority in both
houses in the legislature up here in '53 and '54
and '55.

Sam Collins and Artie Samish

REINIER: But Sam Collins lost in '52.

LYON: He lost in the Republican primary fight with
John [A.] Murdy [Jr.], a very successful
rancher-farmer in the area between Westminster
and Huntington Beach. He had a lot of ranches and a lot of farms. He was just very, very successful. He was trained at University of California, Davis ag school, Cal Aggies in the old days. Still Cal Aggies, but it was really an agricultural school then. He had been very active in agricultural groups and civic groups.

Sam Collins had sort of lost touch with the district; he really had. It was a tough, close fight, and John Murdy won. I think he won the Democratic nomination too. I think he walked off with the whole thing.

REINIER: Now shortly after this Sam Collins will be indicted for his association with [Arthur H.] Artie Samish. Was that known in the district?

LYON: That's not quite correct. He was indicted as a result of an extensive investigation of the activities of a member of the state Board of Equalization, William G. Bonelli. Bill Bonelli was a very bright former college professor, Phi Beta Kappa type, who, in those days as a member of the Board of Equalization, had jurisdiction over the sale of liquor licenses. And it was the breaking of the law in some respect with dealing with liquor license resales that Sam got tied to.
the Bill Bonelli situation. Bonelli had fled to Mexico; he never was prosecuted. I guess they never managed to serve a warrant on him or get hold of him. He had a ranch in Mexico. But Sam Collins was tried and acquitted. Another state legislator who served with him by the name of Charles [W.] Lyon, no known relation of mine—Charlie and I used to talk about it; we overlapped one term up here—Charles Lyon was tried by a different judge in a different court in San Diego County. Sam Collins was tried by the courts in Santa Ana and I think they did bring in a Los Angeles... 

[End tape 1, side B]

[Begin tape 2, side A]

REINIER: At the end of the first tape we were talking about Sam Collins and you were telling me the story of his indictment and acquittal. But he was affiliated with Artie Samish, wasn't he?

LYON: In the sense that Artie Samish was a very active and influential lobbyist in Sacramento during all of the forties; I don't recall just when. Artie Samish went back prior to that; he was probably here [Sacramento] for twenty years [1924-53]. But, of course, those were years
that were a little before my time. But I recall so vividly reading the Colliers magazine articles in summer of 1949 when I was studying for the state bar exam. Lester Velie had those two articles. He had interviewed Artie Samish here in Sacramento. These two articles two different weeks were tremendously revealing. They told the story of a man who had exerted a lot of influence. Maybe the article exaggerated the influence. But the fact is Artie Samish, who had been a very shrewd and very adroit manager of people during those years he was here representing many different interests, let his guard down for reasons that I don't know to this day to even permit himself to be interviewed by a national magazine writer like Lester Velie. He not only let himself be interviewed but he even let himself be photographed holding a Charlie McCarthy type puppet on his knee. The headline, in effect, was here's Artie Samish who is pulling the stings of the legislative puppet.

Of course, Sam Collins was the Speaker of the Assembly and had been for several years. That article on Samish named Sam Collins in several respects. It really caught the
attention of Orange County residents and particularly those in the Seventy-fifth Assembly District which was Sam's district where we all lived. Sam also in some of his responses to correspondence from legitimate agricultural associations and groups in Orange County had treated them in kind of a brush-off manner. He incurred their deep indignation as a result of that feeling based upon personal contact through correspondence with Sam, the feeling that Sam had kind of gotten a big head in Sacramento and wasn't all that responsive to all the elements of his constituency. Plus this series of articles that came out in '49. You see, that's just three years before my campaign in the spring of '52.

REINIER: Did the article and the reaction in Orange County have anything to do with his decision not to run for the assembly again in '52?

LYON: No, I think not really, Jackie, because he immediately launched into a campaign for the state senate seat which was all of Orange County in those days, prior to the 1964 Supreme Court [Reynolds v. Sims] "one man, one vote" decision. Sam ran because the incumbent, who was a
respected older gentleman, a registered Democrat, in fact, Clyde [A.] Watson--Clyde Watson had been the state senator--retired for reasons of age. So that was a step up for Sam in a sense. The speakership is considered nowadays to be the second most powerful position to the governor. In those days it was influential but I doubt if it was graded quite that strong in terms of being next to the governor.

But, rumor had it--I have no knowledge of facts upon which to base a conclusion--but the rumor was that Sam had cooked up some kind of a deal with [Governor Goodwin J.] Goodie Knight where Sam was going to benefit by being a senator. How that would have worked out I don't know. The fact is that Sam had incurred enough displeasure in his own performance of his duties plus the impact of that article, which certainly didn't reflect favorably on Sam Collins, the Lester Velie article on Artie Samish. The combination of those factors made it possible for a "dirt farmer" like John Murdy, who as I pointed out earlier was a very well educated graduate of the agricultural school at Davis, to
beat him. I would say, reflecting back on it—I haven't thought about this in a long time—there were a lot of cheers around the county when Sam took a nose dive.

REINIER: Had he already lost the speakership to [James W.] Jim Silliman [Speaker of the Assembly 1953 and 1954]?  

LYON: No. He went out as speaker [1952]. Sam Collins did not lose the speakership. He simply elected not to run for reelection in the assembly and thereby vacated the speakership along with his office. He was just gonna go for that bigger bone and somehow or other it fell into the river.

REINIER: What happened to him then after he lost the senate race?  

LYON: Well, he was in law practice. It wasn't, you see, until 1954 that the trials were held that convicted Charlie Lyon in San Diego County and didn't convict Sam Collins in Orange County. Those trials were the result of very able and aggressive investigative interim committee activity by one of my colleagues of the class of '53 in the state assembly, namely [Casper W.] Cap Weinberger. Cap Weinberger was the chairman
of that committee that investigated the Bill Bonelli activities as a member of the Board of Equalization when the Board of Equalization had jurisdiction of the buying and selling of liquor licenses, on-sale and off-sale. They went on the retail market, you understand, at a very substantial figure. There was a way of marketing them wholesale under the table for a lot less. The way you made an illicit profit was to get those cheap and sell them on the market. And Sam was a part of that. Charlie Lyon was apparently a part of it.

An assemblyman with whom I served who was a meek little guy, and a nice little guy, whose wife died of polio in that era, Delbert [G.] Morris of Los Angeles County, had been some kind of an errand boy for somebody in the whole operation. He, for his misfortune, had told two different stories at two different times when he was being interrogated. So he was incarcerated as was Charlie Lyon. That was a sad case. I felt it may not have been technically a miscarriage of justice but for all practical purposes it really was because he was no factor in all of these shenanigans. He was simply an
errand boy. But, with all due respect to any of his heirs that may ever hear this because I liked him. He was a nice man, an honorable man, and he suffered a lot of personal tragedy. You understand that legislating in those days was about six months or seven months out of every twenty-four, plus the interim committee activities. So it was truly a part-time legislature. But anyway, that may be a little off the track, but it's part of that whole investigative effort that went on.

I remember sitting in on one of those hearings of Cap's in the state building in Los Angeles when they had none other than Frank Sinatra subpoenaed as a witness. I'll tell you, he was as cocky as any of them. Just to look at and watch him you'd bet he had to have some connections of the kind that they said he had and still people say he has, I don't know. I mean, he was just an interesting guy.

REINIER: Was that why they subpoenaed him? Because of his connections?

LYON: They subpoenaed him because of their belief that he had some involvement in some--oh, I don't know what the best word is, you know, use
"mafia" very loosely—but mafia-type of underworld connection because Bonelli was in and out of that line.

REINIER: Did those gentlemen profit quite a bit from those activities?

LYON: Well, let me put it this way. I have no personal knowledge from looking at anybody's balance sheet that they did or didn't profit. But Bill Bonelli was never short of money. He had ranches in this country and ranches in Mexico. And he went to Mexico and lived out many years of his life before he died. Sam Collins never seemed to be in financial difficulty as far as I know. I guess the best thing to say is that at the trial they introduced a lot of evidence. Evidently in the case of Sam Collins' trial the jury didn't believe the evidence was sufficiently weighty whereas they did in San Diego. But anyway. . .

Working as Assistant Sergeant-at-Arms

REINIER: Fascinating. Now returning to your career, after you were elected in the primary, you went and worked as sergeant-at-arms or assistant sergeant-at-arms in the assembly even before the November election.
LYON: Well, that is true, but it was on a very limited basis. It happened that in July of 1952 just a few weeks after I won both nominations in the primary, the legislature was called into a short special session. The truth is I don't even remember what that was about [Laughter]. But my then to be seatmate, Earl [W.] Stanley, was already the incumbent assemblyman from the Seventy-fourth Assembly District which was the southern half of Orange County, southern and eastern half. When I say that, maybe for the record I should mention, Orange County had two assembly districts in that period of time. The dividing line between the Seventy-fourth in the south and my Seventy-fifth in the northwest was the Santa Ana River. The Santa Ana River entered the county at the northeast corner just out of Corona and departed between Huntington Beach and Newport Beach. So that was the dividing line for that decade until we got another district in 1962's election. That was the year that my successor in the assembly, [Richard T.] Dick Hanna, went to congress.

So the sergeant-at-arms thing was just kind of a little courtesy. Earl Stanley put me on as
a temporary sergeant--I think it was worth nine dollars a day--for that four days we were here during that week in July. But it was a nice gesture on his part and was just a nice thing to be able to sit there and see the session and get acquainted with some of the people. Because the truth is even though I understood government very well and the process very well, I didn't know that many of the incumbent legislators. Bill Munnell was already there. He was a former classmate of mine at USC. And Lock Waters, whose sister was a classmate of mine at SC, was also there. But I'd known Lock in a lot of Republican meetings and activities going back through the years from '48 to the present. I guess he was a member of the Young Republicans in some way himself at that time. So anyway. So that's how I happened to have a slight stint. But then my young son when he was six or seven served as a sergeant-at-arms when I was a member in '53-'55 during Easter week.

IV. CAREER AS AN ASSEMBLYMAN

The Legislative Process

REINIER: You were one of the youngest assemblymen,
LYON: My recollection is that I was the second youngest. [Charles W.] Charlie Meyers, who'd been elected from San Francisco, was a little younger than I although he'd been there before. Bill Munnell and I were about the same age. Anyway, so that was it. I was either the second or third youngest.

REINIER: You were about thirty-two at that time.

LYON: I was thirty-two by one month when I was sworn in, January of '53.

REINIER: But right away in January of '53 you introduced a very controversial constitutional amendment, the right-to-work amendment.¹

LYON: I guess I did. In those days you had to introduce everything or a spot bill to serve as a vehicle in the first two and a half weeks of the 120-day session. The objective then was to introduce all the bills that you thought you were going to need during the session. Then they went to the printer and you went home for a thirty day recess, the theory being to discuss with your constituents the bills that had been

¹Assembly Constitutional Amendment 44, reported from committee June 10, 1953 without further action. Assembly Final History, 1953.
introduced. The irony was that about the day before we had to return to Sacramento for the remainder of the 120 days, we got a stack of bills in a metal strap that was about two and a half feet high. That was the stack of bills. Maybe I had a chance to show that stack to a couple of service club luncheons before returning to Sacramento; but that was the theory.

So then you could amend bills to add whatever meat to the skeleton was necessary after you returned. A vastly different process than now with the formalized Legislative Counsel doing everything on computers and doing it very rigorously according to some protocols and rules. In those days you could just draft up your own stuff and give it to the Legislative Counsel or you could submit it to them ahead of time. We had to think ahead on a lot of these things to have it drafted because everybody couldn't come to Sacramento on the first Monday after the first of January and give Leg Counsel 4,000 bill requests for bills and have them back in print and ready to put over the desk before you left here on the 17th or 19th of January.
So the truth is I don't remember very clearly how that mechanical aspect of the process really worked. But it was much more informal and a lot more of the work could be done by outside law firms, by yourself, by your friends or colleagues or whatever. It didn't have to be done totally and exclusively by the Legislative Counsel. That's one of the big differences.

REINIER: Now you didn't have any staff of your own, did you? Or what staff of your own did you have?

LYON: Well, the staff that we had was very limited compared with later years. For example, my office companion had a separate little office but we shared the same reception office, the same secretary. A fellow by the name of Donald [D.] Doyle from Lafayette in Contra Costa County, he's still alive and very active. He's been a member of the Board of Directors of the State Chamber of Commerce. Don Doyle and I shared the office the first session. And so that was what we had, one-half of a secretary. And occasionally if you had an excess of correspondence on some particular issue, if you had a bunch of mail to answer, you could get somebody out of what they called "the pool."
They had a pool of secretaries that could go to help any given office on any given day or week with overload. So that's how we got along. When I became a subcommittee chairman in my second term, I did have. . .

REINIER: That was Industrial Relations?

LYON: No. It was under the aegis of the Education Committee of which [John L.E.] Bud Collier was the chairman. It was in the '55 session. Now let me see. It was during '54 because in the winter of '55 I made a trip to Susanville to look at a school that was going to be torn down. I happened to know through sources of my own that the whole community was going to be torn down in effect. A lumber mill was going to close. So there was no point in pouring a million dollars into building a new school and then walking away from it in two or three years.

That was part of my work on the School Construction Costs Subcommittee of the Education Committee. We held hearings and visited school sites to check out the need for permanent buildings as opposed to mobile or semimobile temporary classrooms. The school population was burgeoning. That was the postwar baby crop
coming into the school system. There were an awful lot of them, including my own first child, who were on half-day sessions in many places in the state. That was one of my most interesting experiences as a legislator because I had an impact. I was able, literally able, to save the state in several cases millions of dollars of expense that would have been really wasted in large part.

But the staff work, even there I think I had one part-time consultant who was an outside contractor, not a state employee. And I had a state secretary. So staffing was very limited and very informal in those days.

**Right-to-Work Legislation**

**REINIER:** Now what was the story behind the right-to-work constitutional amendment that you introduced as a freshman?

**LYON:** Well, it was my own idea because it wasn't given to me by any group or organization. As a student of labor relations in high school, college, law school, I had a deep, deep conviction that mandatory union membership was very wrong. And it bridged the freedoms of the working man. I still believe so. I don't have
any argument with the right to organize. I believe in unions. I even believed in unions when I was a teenager because doing summer work at the bowling alley up at Lake Arrowhead and getting five cents a line for setting pins by hand before they even had automatic pin setting machines I remember saying to my dad that if this weren't just a summertime job, I'd start organizing these guys so we'd get paid as well as they do down in Los Angeles [Laughter]. So with the work experience that I had as a young person I learned to appreciate the need. And my dad, who was a staunch conservative, never argued against the right to organize. He believed in the old Samuel Gompers philosophy of union organization. But he did not believe that any union had the right to deprive a person of his right to work by forcing him to become a member. In other words they couldn't use membership as a condition of employment. I learned that philosophy very young, and studying economics and politics in high school and college that was one of my strong convictions. So that was one of my first bills to put in the hopper.
REINIER: So you brought that up on your own initiative?
LYON: That was strictly my own philosophical objective from many years before.
REINIER: And then you coauthored a bill that was introduced by Assemblyman Harold K. Levering of L.A. County to ban closed shop.¹
LYON: Same idea. Because the closed shop is what makes unionism mandatory or compulsory. I believe that you have the right to vote whether you want to be unionized and you have the right to vote whether you don't want to be part of that union organization. And I don't believe and didn't then that the union has a right to say, "Hey, if you don't belong to us, you don't have a right to the job." Management's glad to have you. My theory was and is if a union isn't good enough to sell the necessity of belonging to it to those whom they want to belong, they have no right to make him belong.
REINIER: Well now, what happened to that legislation?
LYON: Neither one of them got very far as I mentioned in informal conversation. Even though the legislature was a Republican legislature and a

¹A.B. 2284, listed among measures that did not pass, Assembly Final History, 1953.
reasonably conservative group of people in both parties and relatively nonpartisan between the parties, organized labor in California was much stronger in controlling votes in the legislature in the fifties than it is today in the eighties. One reason being that the percentage of the total workforce in California that is organized is far less today than it was then.

REINIER: And Governor [Earl] Warren and Governor Knight both depended on unions, didn't they, for their elections?

LYON: They did. That's a nice way to put it. Some of us might have said they catered to the labor unions [Laughter]. They sought their support. I suppose as a practical matter for them it was necessary. In my case, coming from a reasonably conservative district, I didn't care what the labor unions thought about me. I wasn't going to do their will.

REINIER: Well now, in 1954 Knight promised that he would veto any antilabor legislation when he ran in 1954. And I wondered, were you in any conflict with the leadership of the Republican party?

LYON: I didn't have anything in the second session about that.
REINIER: But even in the first session were you in conflict?

LYON: Well, I don't remember any conflict. The fact is we just didn't have enough votes in the committees to get a bill out. You used a phrase that I always debated a little bit. Right-to-work legislation is controversial and as futile as it became in the Goodie Knight and [Senator William F.] Bill Knowland fight in 1958, is not antiworker. And being for right-to-work is not anti-union. Anti-union means you don't believe in unions. And I just explained that I believe in unions. But when a union can deprive anybody of their ability to work at the job of their choice because they haven't voluntarily joined the union, then I think it's an unconstitutional deprivation of one's liberty. It's not been held that way by the courts, but that is something else again. But that was my motivation; that's my philosophy. Anything that gives an individual worker greater freedom is not antiworker. It may be anti-organized labor leadership, but not antiworker.

REINIER: And that must have been pretty popular back home in the Seventy-fifth District.
LYON: Well, it was very popular. I'm sure it would have passed in my home district. And in the whole county too. But anyway, I didn't die any deaths over it. It was disappointing, but you take it in stride and go to the next.

Development in Orange County

REINIER: Other than that it seems that quite a bit of the legislation that you introduced had to do with development in Orange County during that period of time.

LYON: You just reminded me of something I hadn't thought about. True, many of the bills I carried. . . . I didn't carry that many bills. I wasn't a prolific bill carrier. I wasn't in the legislature long enough to develop that tendency or need or whatever. But I carried bills that were necessary to effectuate county government, assist in the cities' needs, various kinds of bills that deal with those levels of government. But there was one bill that was very significant. I hadn't thought about that until just now when you asked this question.

Senator John Murdy came to the state senate the same time I did to the assembly in January of '53. He and I coauthored a major water district
bill. It was the first of its kind in the nation and it set the precedent and pattern for a couple of subsequent enactments in California later.

The Orange County Water District needed badly to get supplemental water from the Colorado River because the underground water table in Orange County was being, as they say, overdrafted. The table was dropping, dropping, dropping and the physical hazard of salt water intrusion into that underground basin was very evident along the coastal area which was in John Murdy's district. The only way you can stop, if not push back a little bit, the salt water intrusion is to raise the water table. They knew that if they could form a district based upon a very accurate drawing of maps of the underground aquifers in Orange County, they could then legally and constitutionally assess all those who pumped water out of the basin a pump tax. The revenue from that pump tax would enable the Orange County Water District to buy millions of acre-feet of water from the Metropolitan Water District which administered the Colorado River aqueduct and that whole
thing. That legislation was worked on extensively during a long period of time during '53 and '54. I think it wasn't finally passed until '55 when we came back the next time...

REINIER: I think it was '55.¹

LYON: O.K. Because George [.H.] Murphy, a young Deputy Leg Counsel, was the key drafter of that whole bill. I think it was probably fifty or seventy-five pages long. He, ultimately, later on, became the Legislative Counsel. He's still living; I see him once in a while at this Friday luncheon at the end of the month occasionally at the so-called Statesmen Club. But, John Murdy and I had the honor of coauthoring that and moving it through the legislature. It was tremendously helpful to Orange County. But the real work.... You know, we as legislators got the honor of carrying it and getting it active. But people like Frank Crooks who was the Executive Director of the Orange County Water District for many years, and the members of the Board of Directors, and others, many others, who work on

that kind of project for a number of years to bring it to fruition, were the ones that really did the job for the county of Orange to get that water in. They were able to buy it for ten dollars an acre-foot, the raw water, untreated, and bring up that water table. And it has benefited the county ever since.

REINIER: I was wondering, what role does the legislature play when a local area is undergoing the kind of rapid development that Orange County was undergoing in those years? Did the legislature influence that development in any way?

LYON: That's an interesting question. I never thought of it that way, and as I try to think about it now that you've asked the question, I don't really see any particular connection. But the legislature as a body then--I can't speak for it today as well as maybe then--reacted to regional needs on a reciprocal basis. If we had a problem in Orange County and the solution to that was acceptable to Orange County and didn't negatively affect somebody in the rest of the state, that was OK. It wasn't that the legislature was taking any note of rapid growth in Orange County. Rapid growth really didn't
start to hit until after I left the legislature.
I left the legislature nine days or fifteen days
before Disneyland. . .

[End tape 2, side A]

[Begin tape 2, side B]

LYON: As I was saying when the tape came to that
point, the opening of Disneyland in the middle
of July was the opening gun of the rapid growth
of Orange County. And it, of course, continued
up until the present day. My wife and I and the
family moved from Fullerton to Sacramento in the
middle of the summer, the first of July in 1968.
Prior to that, after I left the legislature I'd
been travelling a great deal between Fullerton
and Sacramento and Washington, D.C. as a
lobbyist for the railroad industry. So I didn't
have the intimate weekly or monthly contact with
the way Orange County was growing and where and
how. But you know, at that age, growth like
that either doesn't impress one that much or you
don't think that much about it. We were well
aware of the continued growth, but you kind of
take it as a matter of course. It didn't seem
that startling.

The thing that we noticed the most was
smog. That sure was a by-product of the rapid growth in all of southern California plus the topographical uniqueness of southern California's L.A. basin where you've got the mountains ringing the coastal plain in a way that prevents the foul air from moving very far away from that. So, true, the accelerated growth, the traffic and all, brought. . . . But, you know, as I look back on it, some of the worst smog that I can remember I encountered driving back and forth to law school from the orange grove from 1946 to '49. I even thought about going out and buying a gas mask at a war surplus store just to get away from breathing some of that stuff and dramatize on the way in how bad it was [Laughter]. I can remember some days at law school sitting outdoors at lunch, it was terrible. I think it really was worse in '48 than it is now. I don't see too much of it now, but I think it was. I think I noticed the severity of the smog a lot more than I thought about growth per se. Interesting.

I don't mind growth; I like to see progress. But all growth is not progress. I like to see reasonably well planned growth. I'm
not sure how much regulated growth I like, but I think you can plan growth with reasonable regulation. Sacramento's experiencing a really uncomfortable battle between those who don't like growth, don't want growth, and those who have vision of the future. You stifle and stymie a certain amount of growth. I think the strong negative aspect doesn't really help the community that much. But here again you have to strike a balance.

REINIER: Now this was a period of highway construction.

LYON: Great highway construction. From the late '40's, starting after the war, we did accelerate the highway building program.

REINIER: And I noticed that you favored that one cent gasoline tax for highways.

LYON: I still favor a gasoline tax. I think [Governor George Deukmejian] Duke's a great governor. I like him and I've known him since he first came to the assembly twenty years ago or so. But frankly, as a driver of an automobile, and my wife, we put in a lot of miles a year, I always thought the gasoline tax was a very good one. Whatever it takes to build highways. I, like a lot of other Californians, want adequate roads
and highways. And I'm willing to pay what it takes to get them. I don't like people who don't want roads.

REINIER: So that was an issue when you were in the assembly, wasn't it?

LYON: No issue at all. We were all for it.

REINIER: Oh, really, you were all for it?

LYON: Nobody was against it. Nobody was against highway growth. We didn't have any [Adriana] Gianturcos around in those days. You know who I mean when I say no Gianturcos?

REINIER: No.

LYON: Well, Governor [Edmund G. Brown, Jr.] Jerry Brown's director of Caltrans for eight years was Adriana Gianturco. We have a monument to her administration out here, the Business 80 split, which never should have existed but for her dislike of highway growth. She wanted to put everybody on bicycles and streetcars and buses. We who are native Californians didn't take too well to that.

Education Issues

REINIER: Well, when you were in the assembly, education issues were also important to you.

LYON: I was very active. I was a member of the
Education Committee and very interested in it because I grew up in an education oriented family. All my living years that I can recall from the time I was in first grade until I was in high school my dad had been a member of the board of trustees of the school district. And I had good friends in education. All the way through my schooling we knew school teachers; we knew school administrators. One of my dad's school buddies from Colorado had come out. He was a school administrator and came into the Placentia district at one point in time.

I suppose I might seem very contradictory to a lot of people. I have an affinity for education; I like good education, but I never was committed blindly to the education "establishment." There were factors in the educational establishment that didn't really like me too much because I was pretty independent.

REINIER: What factors?

LYON: Well, for one thing, in my second term another one of my long time pet peeves or pet projects was to rid the education system of what I felt was an undue burden in the way that tenure was
applied. Teacher tenure... 

REINIER: In the public schools?
LYON: In the public schools.
REINIER: Not the university.
LYON: Oh no. I don't have any feel for or knowledge of how tenure applies at the university level. I had an intimate knowledge of it in the elementary and public school level. I was the author of A.B. 2600 in the 1955 session that was sponsored by the California School Boards Association. I don't remember the details now, but the effect of it was to revise the process so that you could have a much more efficient hearing system to permit the dismissal or reassignment of teachers who proved unsatisfactory. It seemed that a significant percentage, small as it was, of teachers could pass the one-year or in some cases three-year [probationary period] in elementary and high school. I think it was only one year basically. But once you got past that probationary period, you were pretty well locked in. My dad as a school board member, in those days when the school board members were really semischool district administrators with the superintendent,
had lots of problems with not being able to rid themselves of teachers who had just gone bad. They were a bad influence. They were not doing their jobs right. They simply weren't performing up to the level that they should in the public interest. I don't want to get into that too long, but that was another one of my long considered issues that, right or wrong, I was very devoted to. So...

REINIER: And what happened? That was another controversial bill. What happened to that one?

LYON: Well, I guess I didn't fare too well. I haven't thought too much about it. Of course, you can imagine that the California Teachers' Association which, if it wasn't the next strongest to the organized labor, it was the strongest. . . . The California Teachers' Association was an extremely strong statewide lobby group in 1955. And although I had a good rapport personally with their leadership and with the teachers, a lot of teachers, they were very effective in fighting it. I was not going in naive or blind that that was going to be anything but a highly controversial bill. And I realized that it probably wouldn't pass. But it
focused a lot of attention on a matter of very serious concern to millions of people. Good, bad, or indifferent as a result. And they're still talking about it. There's still a lot of discussion on how to cope with that problem.

REINIER: Well, I saw some other education issues too. In your first session you introduced a bill for driver education in public schools.¹

LYON: I was a coauthor with Earl Stanley on that, I think. Because I didn't initiate the authorship on that, but I supported it.

REINIER: You supported that one, and that one passed. I thought. . . . Interesting use of school buses. There was another piece of information that dealt with school buses that passed."²

LYON: Well, you know more than I remember about it because I haven't studied the record on what bills I did or didn't handle thirty-odd years ago.

REINIER: Yeah. And then I found a bill that dealt with

¹A.B. 1840 passed. Assembly Final History, 1953.

²A.B. 3506 passed. Assembly Final History, 1953.
Bible reading in public schools.\(^1\)

LYON: Sure enough? I'll be darned. Way back then?

REINIER: And that one didn't pass.

LYON: Well, I'm sure I supported it. I would support it.

REINIER: I thought that was an interesting one. Now you were on the Education Committee. . .

LYON: Social Welfare Committee, Judiciary Committee, and Ways and Means Committee my second term.

REINIER: Jim Silliman was speaker. . .

LYON: Jim Silliman was elected speaker in the '53 session. He ran for lieutenant governor unsuccessfully in '54. And Luther [H.] Lincoln was elected speaker in January of '55.

Social Welfare Issues

REINIER: So now, as a young freshman assemblyman were you able to select the committees that you served on? Or were you assigned?

LYON: The way it was done then was that everybody filled out a form and indicated their committee preferences. Rarely does a freshman legislator get all four. You'd fill out for four committees; that was kind of the norm. I know

\(^1\)A.B. 682 sponsored by LeRoy E. Lyon, Jr. with twenty other legislators did not pass. Assembly Final History, 1953.
I applied for Labor; I know I applied for Education; and I know I applied for Judiciary as a lawyer. In fact, in those days nobody but a lawyer was permitted on the Judiciary Committee; now there are at least half nonlawyers. I don't remember; I guess at least three of the four that I got I had applied for.

Social Welfare. I had a lot of interest in that because there was a very well known character, McLain, what was his first name... George McLain, the old folks lobbyist. There was a con artist if I ever saw one. He used to come before our Social Welfare Committee with one song and dance or another every week. In case you personally, Jackie, don't remember the name or ever run across it in your research, he was a self-appointed fundraiser, lobbyist, for the old folks. He was kind of an outgrowth in some respects of the "Thirty Dollars Every Thursday" [Dr. Francis E.] Townsend plan era if not the Townsend plan mentality. And he'd shake down these old folks at a big public meeting in the Long Beach Municipal Auditorium or some other place and get three, four, or five dollars out of their pensions. And he'd be up here
lobbying for all kinds of increases in social welfare payments. I don't recall what ever happened to him. He sort of went into quiet oblivion after I left the legislature and got busy going back and forth to Washington as a lobbyist for the railroads. But George McLain was kind of funny to watch. You know, he at one time got a statewide proposition passed that amended the social welfare code and actually called for the placement in the directorship of that agency a lady by the name of Myrtle Williams. That was so bad that within two years they had another ballot proposition that voted her right out of that because it was a patsy job. She was a colleague of his and they were going to raid the state and give it to the old folks to the extent they could legally do it.

REINIER: And they did that through a proposition?
LYON: Yes. Ballot measure. That was the only time, I think, in the history of the state that a specific job in government was written into a ballot measure. George McLain did it and got it passed on his own basically.

REINIER: Do you remember when that was?
LYON: Yes. It would have been about 1948 or '50
because it had been repealed by the time I became a member in '53. It was passed in '50 and repealed in '52; I think that was the sequence. Very close, give or take a year.¹

REINIER: One thing that was interesting to me as far as legislation that your name was attached to in the social welfare field, a lot of it had to do with changing the penal code as far as narcotics cases were concerned. That was really interesting to me that that would be an issue in the early fifties.²

LYON: You got me. I must confess, I don't even remember it being an issue in the fifties. I don't remember, off-hand, the legislation that you refer to there from your research or what it might have meant. I'm drawing a blank on that one, I don't know. I must say, in all candor, most of the bills that I had any contact with--

¹In 1948 the provision that appointed Myrtle Williams was inserted into Proposition 4, 1948 General Election: Aged and Blind Aid. Her specific appointment as well as the procedure of making appointments through the initiative process was repealed in 1950 through A.C.A. 24 which became Proposition 2, 1950 General Election: Naming Persons to Office. Proposed Amendments to Constitution, 1948 and 1950.

and that would be true of anybody. . . . 90 percent of the bills that you process through any given session are so low profile and so limited in their impact that you really don't pay much attention or remember them. It's a small handful that are big issue bills, like the right-to-work or teacher tenure or a major social welfare change or something of that category. So my recollection of specific legislation is extremely limited. You've called to mind a number of things here by giving me the benefit of your research, but. . .

REINIER: Now, did you work with a group? For example, would there be a group of people that you would add your name to theirs almost automatically in support of a particular piece of legislation?

LYON: You mean a group of legislators as coauthors?

REINIER: Yes.

LYON: Coauthorship wasn't that big a deal, as I can recall. Occasionally we did. I remember having a whole bunch of coauthors on one of the bills that had something to do with education. It was one of those rare cases where we pulled it out of committee onto the floor; we had a vote to pull it out of committee and we did it, forty-
one votes.

But there again, one of my problems in recollection of those years is I had two full general sessions, then I went smack dab into lobbying and travelling all over the country all the time. The family was growing; I had so many interests. I never had much time to think back what happened yesterday or the day before. If I'd spent a decade in the legislature where you kind of replow some of those fields every year or two in some way, I might have a better recollection of that sort of thing. But frankly, in retrospect, most of that that I can recall seems relatively minor. But, you know, that's just because I probably don't remember a lot of it. We had a lot of floor debates on many issues, I'm sure, that seemed very much more important at the time than they do in retrospect.

REINIER: But the two big issues for you were the teacher tenure and the right-to-work.

LYON: Well, in a sense because they were both issues that I had studied most of my life in one way or another. There were others... Now you talk about issue categories, loyalty oaths were a big
thing. A gentleman you mentioned earlier, Harold K. Levering, was the author of some of those loyalty oaths. That sort of thing along with any of the various bills or resolutions that might have dealt with Communism in government or loyalty to government, those were big issues. But, like I say, I guess I was either not involved enough, except to vote, maybe in speaking on the bills. I was not perhaps like some legislators who speak on everything or almost everything. Seems like some of them speak on everything. I can think of one today; I won't mention her name. I only spoke when I had some good reason to I felt. So I wasn't a frequent debater on the floor.

**Reelection in 1954**

REINIER: Well now, you were reelected. Were you reelected easily in 1954?

LYON: Yes. No problem. I had to go through November because of the cross-filing change, but I defeated that gentleman, Harry Fox was his name, he was a furniture store owner in Anaheim. In those days--no disrespect to him, I never knew him before or after, but I met him a couple of times somewhere during the campaign, very little
as a matter of fact--the Democratic party in that county knew and the common knowledge of the newspapers and everybody else was, honestly, a Democrat really didn't have that much of a chance unless they were very outstanding. So they got somebody. Nobody had ever heard of him in politics before or after. I can't claim any great drawing power, but I didn't have any trouble. I must have won two to one anyway.

REINIER: Now, one thing I wanted to bring up. I thought it was interesting what you were saying earlier about your family. You made a point to move your family to Sacramento with you during the legislative session.

LYON: Back in the fifties, yes.

REINIER: During those two terms.

LYON: During those two terms. In '53, after the recess, we came up in late February, found a house to rent and spent four months here. So I was able to go home for dinner and come back to committees. It was out on Wellington Drive, just off of Watt Avenue, south of Arden Way. The second session in '55 we found a house to rent in Curtis Park on Curtis Park Drive and Sixth Avenue. Those were very pleasant times
because, in a way, my wife and I and the kids had more constant contact with each other than we ever had before or since, really. Because once I became a lobbyist in Washington, I was gone for long periods of time, up to as long as five or six weeks, more often, maybe three weeks. We took them back in the summers, so we had a lot of family time together in the summertime when I was in Washington. And I had an awful lot of freedom to come and go; I was pretty much self-directed. That was a very nice kind of job. It gave us a chance to travel a little bit. Very educational for all of us.

REINIER: Now, this is your lobbying job?

LYON: I'm referring to my lobbying job between '55 and '75.

V. CAREER AS A LOBBYIST

REINIER: I'm curious about how you got that job because you resigned from the legislature to become a lobbyist.

LYON: That's very true. To keep the whole picture in perspective, I didn't plan to be a lobbyist when I got into politics. I knew what they were, but only vaguely. Then when I came up here as a
member--incidentally, let the record show, I discovered very early on with no predilection for or against lobbyists except I'd read about Artie Samish--I found that they were indispensable to the functioning of the process. I quickly learned who were the knowledgeable ones and who were the reliable ones that I could get information from that I needed. And so I used to tell my constituents in my legislative reports to service clubs and all kinds of organizations that the lobbyists in Sacramento are absolutely essential to the functioning of the process. Of course, they were then and still are called the Third House and for good reason.

REINIER: Without staff did you need information from lobbyists?

LYON: Lobbyists provided a lot of help and a lot of input that I'm sure is provided by staff people now. Of course, you've got a full-time legislature. The whole picture has changed, so you can't necessarily just compare one little part. What was the rest of your question?

Lobbying for the California Railroad Association

REINIER: I was wondering how you got your job
with the railroad association?

LYON: I was in my second session when my predecessor from the same assembly district, who was also a former speaker—that was a gentleman by the name of [Edward] Ted Craig from Brea—asked me one luncheon if I would be interested in taking a good lobbying job. It was a very responsible organization and a figure then that was about two and a half or three times what I was making as a legislator and a lawyer. I had four young kids, and I said, "Yes, I think I would be." Then we had another meeting and he told me who it was, so I met the principal there. It was Walter [J.] Little, who was another former Speaker of the Assembly, back just before Ted Craig had become speaker. They were both long time friends.

So that was a tough one to debate. I must have debated for a month. My wife and I discussed it. It was quite a change of pace because I really enjoyed campaigning. I enjoyed the work I was doing as a legislator and getting into the law practice in Orange County. But it was very attractive, and I never regretted it. It kept me in the political arena all the rest
of my life without the necessity of running for reelection every two years or every four years or whatever. I would have gone to congress. I was very nationally and internationally minded and I read a lot. I felt it would have been a natural progression for me. Had I not become a lobbyist, I'm sure that when the '61 reapportionment occurred and we had a new district in Orange County, I would have gone for that. As it turned out, the gentleman who succeeded me in the assembly in the special election that was held a year after I left, Dick Hanna, was in fact elected to congress after he'd put three terms in up here as an assemblyman.

But then when I think about that, I was very happy to have raised my family in California. Take trips to Washington and Williamsburg, New York and whatever, but stay here. Although, going back to Washington was kind of like going back to our second home town for my wife and me because that's where we met, were married. We really enjoyed working in Washington. But I never thought that I would want to live there full time, and that's what a
congressman from California has to do basically. I don't envy the congressmen. But it was a fascinating experience working with them. Many of the California congressional delegation--that was my responsibility, my area--many of them were former colleagues from here. As the years went by more and more of the people coming up to Sacramento ended up going to congress. So we had a lot of good friends there that we'd known from California days.

REINIER: So you were an associate counsel for the railroad association, that's what your job was?

LYON: Yes. My title was Assistant General Counsel during those earlier years. My responsibility was the federal legislation half-time and the state the other half-time. Then in '67 I took over as General Counsel in charge of the whole California operation. Ultimately after a year's transition we had a staff person go back. Ultimately he moved back and lived there and did it full-time for the California Railroad Association for a number of years.

REINIER: Did you lobby then for the railroads only with congress or did you also lobby with the legislature back here in Sacramento?
LYON: Both. I lobbied for the railroads wherever I was.

REINIER: I see. Both on the state and the federal level.

LYON: Just the railroads, both state and federal level.

REINIER: And the association was the California railroads?

LYON: We had a California Railroad Association comprised of five mainline railroads, only four of which were of significant mileage. The Southern Pacific [Railroad Company] was the chairman line with about 62 percent of the track mileage. The Santa Fe [Atchison, Topeka and Santa Fe Railroad Company] was number two, with about 24 percent of the track mileage. The Union Pacific [Railroad Company] had about 5.5 percent; the Western Pacific [Railroad Company] had about 11 or 8 percent, something like that. And the Burlington Northern [Railroad Company] which at that time was the Great Northern [Railroad Company], had 1.4 percent I think it was, either .4 or 1.4 percent because it just came in from the Oregon border down to a little town called Bieber up in northern California. So essentially it was four
railroads; they made up my executive committee. I never did meet the gentleman from the Great Northern.

But we worked in conjunction with the Association of American Railroads in Washington, D.C. So when I went to Washington. . . . It's kind of interesting too. My predecessor that I started working with in California, who was General Counsel when I came in as Assistant General Counsel, was Walter Little. Walter Little was invited by the Association of American Railroads to become their lobbyist about two years after I joined the CRA [California Railroad Association]. So when I went to Washington for the next number of years, I worked with him back there. So it was very congenial too.

REINIER: And you said earlier that a lot of your work was really negative in the sense that it was lobbying against bills that the railroads felt were not in their interest. Is that correct?

LYON: Well, that would be a big part of it. I don't know if I could give you percentages. We had lots of affirmative legislation. Congress operates so differently. You know, a bill will
be worked on in a committee for weeks, if not months, whereas a committee in Sacramento will work dozens of bills in one week. So, you're working on bits and pieces. You're submitting amendments; you're lobbying members of those committees or subcommittees on amendments to a given bill. You may be lobbying for an amendment to a bill that otherwise you wouldn't like, so you couldn't call that negative lobbying necessarily. But I would say that would represent a good part of it.

We had areas or trends in transportation that were inimical to the railroad industry, namely the proliferation of trucks and highways that were not, we felt as railroad lobbyists and railroad people, adequately paid for by the trucks. We could make an even more clear cut case with the waterways, which were built by tax payer funds totally, engineered by the corps of engineers, and built with public funds. The privately owned waterway barges carried competitive traffic, so that was always a bone in the craw of the railroad industry during the twenty years I was with them.

REINIER: And those twenty years were a major turning
point for the railroads, weren't they? Or were they?

LYON: That's an interesting way to put it. I think that those twenty years were a downhill slide from the beginning to the end because the railroad situation became worse and worse. . .

[Interruption]

[End tape 2, side B]

[Session 2, March 31, 1988]

[Begin tape 3, side A]

REINIER: Mr. Lyon, you resigned from the legislature in July of 1955 and became Assistant General Counsel for the California Railroad Association.

LYON: That's correct.

REINIER: And then you worked both in Washington and in Sacramento for the next twenty years.

LYON: That's true. The representatives of the railroad association in California, which at that time represented the Southern Pacific Company, the Sante Fe Railway, the Union Pacific Railroad and the Western Pacific Railroad, plus a little bit of the then Great Northern, which ultimately became part of the Burlington Northern, solicited my interest indirectly in becoming a lobbyist. Early in my 1955 general
session after giving it quite a little bit of consideration and learning that it was a very well thought-of organization, and it was an industry for which I had long had a built-in educational sympathy and empathy, I decided that at the end of the general session, which in those days was for all intents and purposes the conclusion of the bulk of the two-year term. The only thing remaining after the mid-June recess of the 1955 session would be the thirty-day budget session in 1956. So it seemed not that detrimental to the constituents that I represented in Orange County to take the position.

And it was not too uncommon in those days. It turned out that at the very beginning of my '55 session one of those who had been elected the same time I had in '52 and served in the '53 and '54 sessions resigned the day after he was sworn in to take a lobbying job with a major industrial group. That did not seem to me like the best thing to do, and I would not have done that. Nevertheless, the reason that I was employed by the railroad association was that as an assemblyman with only a little over one term
of experience I did know a number of the members of congress as a result of all of my early day political activity that we discussed in the earlier tapes. The fact that I came from the same home town and knew United States Senator [Thomas H.] Tom Kuchel and knew a number of the members of the House was one of the key elements in their asking me if I would be willing to join them.

So from about '55 until the beginning of '67 I was spending about half of my time on federal affairs. My responsibility was to lobby the California congressional delegation on behalf of the U.S. railroad industry. The California Railroad Association, as other state associations, worked with the Association of American Railroads, called the AAR. They had headquarters, of course, in Washington, D.C. and a lobby team there. And we who were called "state men" were called back periodically to assist the AAR core lobby group, you might say, in contacting the individual state delegations. The chief lobbyist for the AAR would work very closely with committee chairmen, for example, who may have come from their early home state.
I can recall one of the fellows we worked with a great deal over that period of time named [   ]

"Pat" Matthews was a close friend of a congressman by the name of Orin Harris of Arkansas, the committee chairman for the Interstate and Foreign Commerce Committee who had come from the same home state. So that gives you a little idea about how some of those things develop.

The state men worked occasionally with the committee chairman. It seems to me that the state man from Montana used to contact [Senator Michael] Mike Mansfield who was a very prominent United States Senator at that time; I think he was majority leader at one point. He's been an ambassador ever since his retirement from the senate and still is Ambassador to Japan in Tokyo. Mike Mansfield, a very well educated gentleman, one of the erudite U.S. Senators of his era.

REINIER: I was wondering, was it a lot different to lobby at the national level than it is at the state level?

LYON: There were many differences then. Maybe the difference wouldn't seem so great today. I
hadn't thought about it that way, but I'll get into it. In those days, of course, our state legislative activity was very much part-time. So if I were to be in Washington, D.C. from January to June of the odd numbered year, I would miss a great deal of what was going on in the session here. But I was back and forth pretty much on a fifty-fifty basis because I had, of course, all my friends and contacts in the state legislature and I had those in Washington, D.C. And as each two years of my work in Washington went by, there were more and more former state legislators who were becoming congressmen. So the number of people that I knew well gradually increased over that period of time. It was, as I say, about thirteen years, because by January of '67 I had been selected to be General Counsel of the California Railroad Association which meant full-time attention here to the state legislative picture. But we did a little overlapping and several of us would make trips together, back and forth. So it was kind of divided for a transition year. Ultimately one of my staff became a full-time Washington rep [representative] and a few years
later moved back and stayed there because the congressional picture was consuming most of every calendar year and it worked out better that way.

REINIER: So you had personal friendships with the congressional delegation. Would you say that was correct?

LYON: Absolutely. I mean that's the essence or basis of lobbying as it existed in those days. Lobbying is much more arm's length today in California because of the passage in 1974 of Proposition 9, the so-called Fair Political Practices Act. Congress has no such proscription on social contact between lobbyists and staff people and members of congress. As I learn from the people I talk to occasionally who do cover Washington in this era, it's pretty much the same as it was when I was there in the fifties and sixties. I've had very little contact with Washington since '75 when I left the railroad industry to go into private contract lobbying with a gentleman with whom I work today, namely [A.E.] Al Davis.

Competitive Transportation Issues

REINIER: Now before we get into your current work at the
state level, what kind of issues were you working on when you worked for the railroads?

LYON: The major issues, of course, would be what you'd call competitive transportation problems. The history of the railroad industry being the first major transportation mode in the United States is vastly different from the history of the trucking industry, the waterway industry, and the airline industry. The railroad industry was and is assessed taxes on every mile of right-of-way, on every building, every piece of rolling stock. They're fully taxed as would any manufacturing concern be on everything that it owns and operates. In contrast, the competitors of the railroad industry were furnished highways at public taxpayer expense which includes truck taxes, too. The waterway operators literally had at that time basically a free right-of-way upon which they paid no taxes in terms of ad valorem taxes on the piece of property. User charges to some extent have occurred. But many of the battles we fought, major or minor, over the thirteen years that I was fully active in the Washington arena centered around the lack of equitable assessment of taxation on the water
carriers, the air carriers, and the motor carriers. There's no doubt in my mind that the current status of transportation modes in this country, particularly the railroads, is in large part due to that literally generations long inequity in the way the various modes of transportation were taxed.

REINIER: And highways were being built at that time. Wasn't the Highway Act passed in 1956?

LYON: Actually, we worked on it in 1958. There's a little uncertainty in my mind where the '56 figure comes in, but it may have been given that number even though it wasn't finally completed until 1958. The reason I'm so sure about that is that I took my family back for the whole summer of 1959. Maybe it was some sequel to that. But anyway, it was in that period that the Eisenhower administration gave its blessing to a very expansive national highway system which gave us a lot of route changes. Interstate 80 in California, used to be U.S. 40. U.S. 99 is pretty much out and it's Interstate 5. And those changes occurred all over the country as a result of and since the major highway activity that really went on through
several years from '56 to '59.

REINIER: So that was pretty destructive for the railways, wasn't it?

LYON: Well, it was. Yes, it was detrimental to the railroad system and to the industry in maybe a more complex way than may seem true on the face of it. It involves some long term gradual changes. The railroads weren't opposed to good highways. Their major concern was that the competing trucking industry would pay its equitable fair share. That was always a problem because it would depend on who was computing the equitable fair share. The railroad industry felt they had a way of doing it very appropriately. The truckers, of course, had a very opposite point of view. And the public sector came in somewhere between and usually much more closely to the truckers' interests than to the railroads.

From a lobbying point of view there are some interesting reasons why the truckers generally came out better than we did. Every congressional district in the United States at that time, virtually every congressional district I was familiar with, had one or more
and usually several trucking companies, locally owned, locally managed. Those trucking company owners and employees were constituents of a congressman. That's not true generally of railroads. Their ownership is in New York or Chicago or Kansas City or some other major commercial area: Minneapolis, St. Paul. So from a grassroots lobbying organizational point of view the truckers simply had it all over the railroad industry. Not because they had more talented people, it was just the physical setup of the situation.

REINIER: Now you were really competing then with those lobbyists for the truckers.

LYON: Oh absolutely. I used to debate some of the trucking lobbyists in public forums around the state in that era. From the minute I took the job it seemed like I got involved in that because the highway building program was beginning to accelerate during that whole period from '55 to '60. It was a very active time.

But the water carriers were another factor. They competed very vigorously with the rail industry in the sense that you could carry barges full of coal up and down the rivers.
Every barge full of coal took rail cars that carried coal off the railroads. They could do that. They could take it away because it was less expensive to the consumer to buy coal that was shipped that way. The barge operators only had to buy the personal property of a barge or a group of barges, a towing boat, and pay no capital investment and no taxes on that capital investment for a right-of-way. The federal government was dedicated from ancient times to building and improving waterways. They built expensive locks. This occurred well into the sixties where they built new canals and new locks that directly competed with railroads that ran from the Gulf Coast to the interior of the country. This was true in Texas. Those projects were great pork barrel projects for the local congressman to deal with the local owners of barge lines, the local owners of truck lines, as the case may be. And the ownership of a railroad company was so distant from the congressman, relatively speaking, that it gave us lobbyists a very definite built-in disadvantage.

REINIER: Were there ways that you tried to counteract
LYON: Well, I'm sure there were. I was part of a large effort in this respect with state men coming back from maybe thirty of the fifty states in the AAR group. Of course, everybody did their best to personally educate and personally influence by their own persuasiveness as well as their friendship and whatever other legal, ethical means you might use to convince the members of congress of the validity of the railroads' economic position. And there was a fair amount of success. You know, I haven't really thought about many of these elements, Jackie, for almost twelve, thirteen years. And so there are going to be some vague points and some lack of clarity in what I say. We've been so occupied in the last twelve years with a multitude of client problems that are totally different from the competitive transportation problems that I dealt with for the first twenty years.

REINIER: I was just curious, the railroads are big land owners in California. And I wondered if any of your work had to do with the water plans of the late fifties or the water controversies of the
late fifties.

LYON: Not that I can recall. The 160-acre limitation, so called, was periodically a very controversial issue with congress and with people who had negative reaction to large farming operations.¹ Large farming operations in California are an absolute economic necessity not only because the land is different than it is in Kansas and the crops are different than they are in Iowa or Kansas, but the water situation is different, the marketing situation is different. It's in the best interests not only of the farmers of the land but of the consumers of the products. The agricultural products of California have been shipped around the world because our large

¹The Newlands Act of 1902 limited the amount of water that a landowner could obtain from a federal reclamation project to enough water to irrigate 160 acres or 320 acres in the case of a married couple. When the limitation was applied to water from the Central Valley Project in 1944, large land owners, including many corporations, launched a campaign to have the limit set aside. When congress refused to repeal the 160-acre limitation, the campaign turned to the courts. In 1957 the Supreme Court of California declared the limit unconstitutional as "unlawful discrimination" in the Ivanhoe Irrigation District test case. In 1958, however, the U.S. Supreme Court unanimously reversed the decision. Walton Bean, California, An Interpretive History (New York, 1968), 405-407.
farming entities made it possible to produce agricultural goods at a much lower unit cost than is true in many other parts of the country and certainly most other parts of the world.

But we didn't get involved in that directly. The ownership of the Southern Pacific Company, which was the principal land grant railroad in California, was largely in desert and timberland. They had large acreages of forest land that they handled, developed, operated in the same fashion that a lumber company would have operated it. Lumbering in California has been on the decline for quite a while and I'm not really up to date on the circumstances there. The SP [Southern Pacific Railroad Company], of course, sadly to say, it being the lead railroad in this state for a hundred years, is in its decline. The Western Pacific has long since been absorbed by the Union Pacific. The Santa Fe and the SP tried to merge their railroad operating properties as well as their holding companies and the Interstate Commerce Commission denied them that right. So the Santa Fe apparently will be going it alone and the Southern Pacific Company will
possibly be merged into the Denver and Rio Grande [Railroad Company]. I saw an article on that recently. All of which adds up to the timberland ownership and operation by the Southern Pacific Company, I'm sure, is undergoing a substantial change. How much of it has been sold outright to other timber companies, I just don't know. I'm not current.

REINIER: So most of your work had to do, it sounds like, with tax issues and with the competitive situation of the railroads.

LYON: That's a very good summarization of it, I think. As I look back on it, those are the issues that seem to stand out.

Entertaining Legislators

Of course, one of my functions as a part of that lobbying operation was entertaining members of congress and their staffs. And we had adequate opportunity and funds, frankly, with which to do that. That was a significant part of our assignment. You were part expert and part advocate and part diplomat and ambassador of goodwill for your client.

REINIER: Did you contribute generously to people's campaigns?
LYON: Not really. It didn't have a whole lot to do with that. Actually at the federal level there are significant restrictions on corporate contributions. Companies cannot contribute to a congressman in a California congressional race, for example. Companies in California can contribute to any state senator's race, any state assemblyman's race, any proposition on the ballot. But they cannot contribute as a corporate entity, they can't write a corporate check to a congressman's campaign. It's got to be done through political action committees that are similar to labor political action committees. So labor unions through their assessments and employers through voluntary contributions from employees, that is executive level exempt employees they call it, can make contributions. So that was not a significant part of my function as a state-man lobbyist for the California railroads.

REINIER: But there were no limits on your entertainment.

LYON: No, there were none. For example, the current limitation which was enacted in 1974 in California says that no lobbyist may spend more than ten dollars per month on "gifts" to those
designated persons. That means a lunch, a dinner, coffee, or a round of golf, none of which can be achieved today at ten dollars a month. So it means that lobbyists do not directly entertain any of these designated people. Lobbyists' clients may be present to pick up the tab. But there's no such limitation, never has been, at the federal level. If a meal costs thirty dollars today as I suppose it does in Washington D.C., why that means the expense accounts get rougher on the ownership.

REINIER: So how did you entertain? What were the methods that you used for that?

LYON: Nothing unusual, I suppose. Taking legislators, maybe two or three couples, to dinner in some unique place or some place of their choice. You know, the sort of thing that you read about. Without repeating the standard sort of things like playing golf with them or going on picnics, one of things that I did as sort of a unique one for our western states anyway--I don't know what other states might have done--we put together several summer evening barge trips up and down the C and O [Chesapeake and Ohio] canal which
goes from Georgetown and the suburban Washington area up several miles along the Potomac River. That took quite a little coordination and energy and effort on my part. It was pretty much a one-man job. But we would have the bulk of our California delegation and their wives and some of us railroad people, get some of our client executives in. Some of the congressmen would bring their own musical instruments along. I remember one congressman from Los Angeles, who put in about ten years as a member, very fine man, very good saxophonist; Del [M.] Clawson was his name. So we had some of those that were really quite memorable social functions and something that the group looked forward to.

There was another unique event that occurred once a year called the California State [Society] Association. They held a summer picnic for congressmen. Their aides, their families and all would gather. It would be a good way to just have fun together. Congressman [Harold T.] Bizz Johnson from this area, representing the area from Roseville to the Oregon border, was one of the leaders in that California State Society group. He was the
chief chef, and he would broil the steaks. It was an all-day affair. I used to help him and his administrative assistant and his office staff and those others who worked on it, the California State Society group. We'd rent a truck, two or three trips from the House office cafeteria building out to the park about ten, fifteen miles away. Those are some of the many ways that you sought to have fun together. Being away from California, the congressmen, their wives and families, staff people, enjoyed doing things together with somebody coming in. I wasn't a Washington resident. I was simply in for two or three weeks, maybe five weeks, at a time and back to California. With the exception of those couple of years, one when we rented a house for the summer and another when we just stayed in a hotel for six or eight weeks.

REINIER: What about free trips on the railroad?

LYON: That was always illegal. No way that a railroad from the earliest days could provide transportation to any public official. But there was never any prohibition on two lobby groups getting together. The railroads could buy the food, and the nonrailroad entity could
supply and buy and pay for the tickets. So it was possible to have joint ventures as we did from Sacramento to Reno a few times. A fellow who represented the dairy institute bought the tickets and we bought the food. So it was a perfectly legal and perfectly enjoyable thing that many of those older legislators miss in this era.

**Comparison of State and National Levels**

**REINIER:** Well, in those years before Prop. 9 you could entertain quite extensively at the state level too.

**LYON:** Oh yes. There were no limitations. You simply reported in general figures to, I think it was the Legislative Analyst's office at that time that kept the records. So there were records kept; there were reports made. We had to make reports. I think it was on a quarterly basis; maybe it was a monthly basis.

**REINIER:** So did you do that kind of entertaining on the state level as well?

**LYON:** Well, I guess these railroad trips that were joint ventures that I just described would be somewhat comparable to the barge trips that we simply organized on our own in Washington. The
physical layout of Washington, D.C. is vastly different than the physical layout of the California state capitol. It's a mile walk from the extreme end of the House Office Building to the opposite extreme end of the Senate Office Building. Everything is much larger; it takes a lot more time to get from one office to another. Here in Sacramento you have the senate on one side of a small building, relatively speaking, and the assembly on the other side. And so it was always a great relief to come back from those long walking trips, in the underground tunnels in the winter and summer to keep away from the cold and the heat and on the streets when the weather was mild, back there. You'd come back here and you can see three times as many people in an hour or two as you could back there in two or three hours.

REINIER: And I remember you said last time that you could always work on much more legislation at a time on the state level than at the national level.

LYON: Oh yes. The congressional committee system is such that they will work weeks and weeks sometimes on a single piece of legislation. They have a totally different system there.
Here the norm is to have a committee hearing on one day that will consider anywhere from ten to forty bills. The finance committees, the Ways and Means and Senate Finance Committees, often times at the crunch periods will have seven or eight pages of bills, like a hundred, two hundred bills that have to be processed in one way or another. Admittedly, the kind of processing given here is quite different, but nevertheless, the number of bills that are handled here is much greater than the number of bills handled [in congress] in a given year. Congress has a lot of major committees, and then those committees have numerous major subcommittees. Subcommittees will do a great deal of the work on a given bill, kick it up to the full committee. We have a little bit of that here now that we've gone full time since 1972 with the bi-annual two-year sessions. But there's still great differences.

REINIER: Were state legislators more dependent on you for information than the congressmen were? Did you have a more important informational task at the state level?

LYON: That's an interesting question. I never thought
about it being more or less at one end of the
line or the other. . .

[ Interruption ]

[ End tape 3, side A ]

[ Begin tape 3, side B ]

LYON: In the period from 1955 to 1968, let's say,
which is the period I spent mainly in
Washington, the congressional staffs were far
more complete than the staffs would be in
Sacramento because in that era California's
legislature met only on a part-time basis. So
you had farmers, lawyers, teachers, various
professions and business groups represented as
members of the legislature for whom legislating
was strictly a part-time function. So that did
not require the ratio of staff to legislator
that was true and is true in Washington, D.C.
So one difference in that era in dealing with
the California legislature as opposed to
congress was that I rarely talked to a staff
person in Sacramento. I mean, the bulk of my
lobbying was directly one on one with a
legislator. At that same time in Washington,
D.C. it was much more delegated to the staffs. I
worked through the staffs and up to the
congressmen so to speak. Of course, senators, U.S. Senators, only two for each state obviously, had very large staffs even then. Because even then congress was pretty much meeting from January until late in the fall. It's later now, they've gone almost until Christmas in recent years.

Partisanship in the Legislature and Among Lobbyists

REINIER: But when Jesse Unruh became speaker in 1961, he began to increase the legislative staff in California dramatically, didn't he? Didn't that begin to change in California?

LYON: Jesse Unruh was a strong and aggressive advocate of increased legislative session duration and increased staffing. His idea was to make the legislature a full-time operation, to create for legislators a full-time job. And, of course, there were students of politics and political science in those days that did not view that as a forward step, really. I think you'll find some today who would say that in retrospect it was not a very forward step. But I think the majority are probably so used to it now that they really don't think of any alternative.
Around here it's been more frequent, I would say, in the last two or three years to engage in conversation with people who say, "You know, I think we'd be better off if we didn't have the full-time session, if we could go back to something maybe half-way between the 120 days of general session in every other year and the thirty-day budget session at the even year and what we have today." It's so frenetic so much of the time now that much major legislation does not really get the deliberate kind of consideration that it merits.

One of the outstanding political reporters of this era, namely Dan Walters of the *Sacramento Bee*, who is syndicated somewhat up and down the state, has written a number of columns that deal with this in one way or another. He's quite aware of the superficiality, to a large extent, of the treatment of bills and of issues, not of bills so much, but of issues. Dan expresses a great deal of concern, and I share this, with the day-to-day excessive involvement in trivial matters and relatively little involvement in long-range issues that need to be dealt with looking to the
next decade and into the twenty-first century.

REINIER: Why do you think that isn't happening? What's the reason for that superficiality?

LYON: Well, you know there are probably a number of reasons. One of which is the extreme partisanship with which all legislation seems to be involved today. Going back to the period when I was in the legislature, at the time I became a lobbyist, and for many years after I became a lobbyist, partisanship was generally relegated to a secondary position. There was a great deal of bipartisan attention given to major, long-range issues, whether it was highway transportation or water, the water program that was started in the Goodie Knight administration and culminated in the [Governor Edmund G.] Pat Brown [Sr.] administration, California water plan, the canals and the whole bit. I don't think there's any doubt that the preoccupation with the politician's perpetuation of his terms in office, of his continuing in office, is a major factor in this extreme partisan approach to so many issues. I don't know what else. . . .

Demise of Cross-filing
It's kind of interesting. You might be interested in the fact that when I was in my second term in '55, there was a realization that the extreme partisan approach was about to be born. The old cross-filing system was repealed in November of '52 and became effective in the '54 elections wherein you could still cross-file—that is, the candidate from one party could take out nomination papers for both parties. But in '54 and for a few years thereafter you had to put your "R" or your "D" after your name. Ultimately, I guess that was abandoned; I forget at what point in time. But we had discussions in some of our caucuses in 1955 as to whether to support legislation that would create a legislature that was nonpartisan. And I was one of those who argued for it. I felt that with the fading away of cross-filing as a major function of the system that we would be getting more and more partisan. Of course, as a Republican I was interested in maintaining a Republican majority, which we had at that time. So I had my own reasons that would have to be considered biased. Nevertheless, there were others that agreed with that, but it didn't
have a majority support. We were in a position to do it then because, I think, the Republicans had well over fifty-two members of the eighty-member assembly at that point in time.

REINIER: And cross-filing benefited Republicans in this state, didn't it?

LYON: I guess it did. But up until the mid-fifties or sixties the Republicans had been the majority in registration. So they did not, I think, represent proportionally more districts than their registration in the state, in contrast to the situation that exists today where registration, according to several sources, is really almost equal statewide. It was well reported here two, three, four years ago that there were more Republican votes cast in all congressional elections than Democrat votes, but because of the redistricting that had been done by the Democratic party, you had only about 40 percent of the total number of congressmen being Republicans. So, if you want to put it that way, the pendulum has swung to the other extreme, if in fact it was extreme. I don't recall ever having the perception that Republicans had more seats than the popular vote.
would have entitled them to.

REINIER: The Democrats, of course, eliminated cross-filing in 1959 when Pat Brown came in.

LYON: I knew it came along somewhere. So maybe that's a long digression, but I think honestly that if the concept of a nonpartisan state legislature had been able to be sold at that time and had not been changed in the intervening decades, it would be very, very possible to have a constructive forward looking legislative body, even on a full-time basis, to whom partisan fighting was not so necessary to survive.

Partisanship and the Lobbyist

REINIER: I was curious about your own partisanship as a lobbyist. You were a very active Republican when you were running for the legislature. Did you have to tone down your own party affiliation when you began working as a lobbyist?

LYON: Well, I guess tone down is perhaps as good a phrase as any; I wouldn't have thought of it quite that way. You become very bipartisan in your approach. You obviously take off the mantle of a partisan fighter for any particular cause. You become an advocate for particular points of view that reflect your clients'
interests and concerns. The legislators that I dealt with, of course, knew my history in those early years, you understand. But I never had any problem in dealing with, on a very open basis, Democratic legislators, and Democrats in congress as well. I had excellent rapport with a lot of the Democratic congressmen. You have better or less rapport with some Republicans and you have better or less with some Democrats, you know; it depends on the personality. A lobbyist needs to be able to identify with as many aspects of the person he's talking to as he can honestly do. And I always found many things with respect to Democratic legislators--congressmen, assemblymen or state senators--that I could identify with; they could identify with me. So you sublimate your partisan history to a very substantial degree. I used to go to Democratic conventions and Republican conventions because you meet the people there and you keep up with what's going on.

REINIER: And you need to win the support whether that person is a Republican or a Democrat.

LYON: That was a lot easier then than it is today. If you wanted to analyze it, my perception is that
there's been a great shift in terms of many more Democrat lobbyists than there were. When I was a member, I would have to believe that the majority, except for the labor union and the teacher lobbyists that I knew, were probably Republican. Of course, they were dealing with a Republican legislature and a Republican administration.

REINIER: And were they representing mostly corporate interests?

LYON: No. All kinds of interests. Of course, the corporate interests and the associations of employers and manufacturers and tax payers would be representing the business interests, most of the partnerships and individuals and corporations. So, you know, it's been a long transition from the part-time legislature of the fifties to the full-time, highly partisan legislature of the eighties.

REINIER: You think more lobbyists are Democrats now than used to be?

LYON: My perception of the total number and, of course, we have twice the total number, something like 700 as compared to 300 or so in those days. But you see, lobbyists were also
more diverse in their activities. They weren't here in Sacramento more than six months out of every twenty-four until the legislature became full-time. So, in a sense you had part-time lobbyists who were also part-time executives, part-time association managers, part-time lawyers or whatever. In fact, one of the lobbyists, whose name and face stands out among the top ten that I knew in the years I was in the legislature and for a number of years after that, spent the bulk of his time practicing very high-powered law. He was a former state bar president. But he lobbied as a lobbyist for the employers group out of San Francisco and some other employer groups too. He used to work very closely with what was then called the Merchants and Manufacturers, the M&M, which was another industry lobbying group.

REINIER: When did the shift in lobbyists occur then from part-time to full-time lobbyists?

LYON: It occurred right along with the change in the legislature from part-time to full-time. In the pre-'72, pre-full-time legislature era the legislators only came up here for a few months of the year. A few like myself and my wife
rented a home for four months and stayed here. Those that lived close enough commuted back and forth for those several months. Lobbyists almost all commuted except the gentleman I was just referring to, [Gilford G.] Gil Rowland, who had been a state bar president back in the thirties or forties—still living by the way, been practicing law all his life. But he lived in Sacramento. He had been the state bar president as a Sacramento Bar Association man. So he was one of the few that lived here. But most lobbyists were commuters just like the legislators were up until the full-time.

Like in my case, I commuted from Fullerton to Sacramento for a year and a half from January of '67 when I became General Counsel. That was the first full-year legislature as a result of the '66 constitutional revision adopted by the people in November of '66. So I was flying back and forth from Orange County to Sacramento every Monday and Friday for a year and a half. By about a year and two months we decided that this was going to get to be kind of wearing so we decided to move up. Many of the other lobbyists were beginning to do that over a period of five
years. The bulk of them have moved here. There is still a number of commuting lobbyists, but the vast majority of them live in the area.

REINIER: And by '67, then, you were General Counsel for the railroad association, so you were back full-time in Sacramento, living in Sacramento.

LYON: Well, I didn't move here until July 1, '68, which was twenty years ago this summer.

REINIER: Well now, [Ronald] Reagan was governor then... 

LYON: He took office the same year I became General Counsel.

REINIER: So did his governorship create a more favorable climate as far as the lobbying issues you were concerned with were concerned?

LYON: It certainly created a more congenial climate for me and a lot of my friends. They still had a Republican legislature at that point, I believe. I don't know if your records show something different; I hadn't thought about that... 

REINIER: I think the Democrats controlled the legislature in '66... 

LYON: Well, Jesse Unruh was speaker then... 

REINIER: But Republicans gained control by 1969. 

LYON: That was Bob Monagan's speakership, I think,
right after that. Anyway, as we indicated earlier, the bipartisan atmosphere was pretty strong even though Jesse Unruh was here. We had no problem on behalf of our railroad industry client gaining pretty much what we felt we needed in terms of legislative result during that period from '55 until '67. I would not be able to say that we had any more beneficial treatment in the period from '67 to '75, when I left the railroad, than we did before. We, as I think back on it, achieved a lot of successful legislation.

Lobbyists' Use of the Initiative

One of the most significant statutory enactments, however, was not through the legislature. It was an initiative statute that repealed essentially the 1948 initiative statute that created the terrible feather-bedding situation in California. The 1948 act, which was passed when I was in law school, mandated a full crew. It was called the Full Crew Act or something, as I recall.\(^1\) And the railroads

\(^1\)Actually the Full Crew Act was a statute passed in 1911 as a safety measure by Progressive reformers requiring the railroads to employ one to five extra brakemen to turn the heavy hand brakes on trains. As brakes were
were stuck with excessive crew personnel for that whole period of time. We couldn't do anything in the legislature with it. And so, like today, when you fail at the legislative level, you go to the initiative. The railroad industry went to the initiative level. I had a very active part in that, you know, on television programs and debates and discussions and radio and stuff. So it was a very interesting period. I think the year on that was probably about '64.\(^1\) But that was a real good, successful statewide campaign. It probably meant more in dollars and cents in economic benefit to the railroad industry than any of the statutes we worked on in the legislature. In the legislative process, one of modernized, the size of the crew was not diminished. Legislation sponsored by the railroads to repeal the act was introduced in 1943 and 1947 but was not passed. Proposition 3, 1948 General Election: Railroad Brakemen empowered the Public Utilities Commission to prescribe the number of brakemen to be used on railroad trains. Proposed Amendments to Constitution, General Election, 1948.

the very large dollar items was the excessive cost of railroads' participation in grade crossing separation projects. Hadn't thought about that for a long time either. But that was an ongoing issue. We had many economic issues, those that affected business in general and some like grade crossings that affected railroads in particular.

REINIER: But then as a lobbyist with this initiative your job really became running the campaign.

LYON: Well, we had a campaign management firm out of San Francisco that did the campaign management. I wasn't General Counsel at that point in time; I was Assistant General Counsel. Another gentleman by the name of Claude Minard, also a former assemblyman from the thirties who served with Walter Little, who was the former speaker who employed me, was very instrumental in leading that along with our executive committee. The railroad attorneys who comprised our executive committee were very active in that. It was a very sizable group effort, believe me. They had to, of course, get the signatures earlier to get the matter on the ballot. It was exciting to be a part of a
statewide educational, political campaign.

Proposition 9, Fair Political Practices Act

REINIER: Now, you were still working for the railroads in 1974 when Prop. 9 was put together and passed. Jerry Brown was really instrumental in that, wasn't he?

LYON: Well, Jerry Brown, working with a group that existed at that time in the state--trying to think of the name of it right now, it was... It will come back maybe. But, Jerry Brown, when he was secretary of state from '70--he was elected in '70 as secretary of state and elected in '74 as governor. During that four year period he had a legal assistant by the name of Daniel Lowenstein, who, I believe, is still a professor at UCLA [University of California at Los Angeles] law school where he went after serving several years as the head of the Fair Political Practices Commission which was the creature of that Prop. 9 of 1974. The group that I'm thinking of was the People's Lobby; I'm pretty sure that was their title, the People's Lobby. And the man who formed it and ran it for a period of time has long since passed away. I can't remember his name. It
seems to me he had some kind of origin or connection to some place out here in Placer County, but I don't recall.

I did my best, quite frankly, to get the railroad industry to be somewhat more active than they were in fighting that initiative along with other business groups in California. We felt it was not a well balanced initiative; it was a very vindictive thing. Its first page almost, as I recall, was a diatribe against lobbyists in general as being an evil influence on government in California. So it was motivated by a strong desire to eliminate lobbyists' effectiveness and influence in the legislative process. Of course, it did nothing of the kind; it simply made it more complicated.

Dan Walters is quite a student of this whole picture, too, and he's written a number of columns on it. I think there are those political analysts who would say that under the present system of fundraising and campaign costs and expenditures the situation is every bit as bad, if not worse, than it was alleged to be in the era when the lobbyist was the principal
contact, principal spokesman, and the one who actually could deliver campaign contributions. In those days it was sort of par for the course that the lobbyist who had a client that was involved in, or had the money to help in, campaigns was the person who made the contact, not always, but in many cases. Now of course, that's strictly prohibited. The FPPC [Fair Political Practices Commission] makes it totally illegal for a lobbyist to give money to a candidate. Now I don't think there are any exceptions. I guess a lobbyist's wife can give up to $100 a year to a politician, a candidate for office. But, for all practical purposes, there's a total prohibition against lobbyists giving anything to candidates.

But their clients, of course, are not that limited. That's where the money comes from. Fundraising receptions and dinners are occurring all the time. Those tickets, those solicitations go to the clients. It's not illegal for the lobbyist to confer with a client on which ones get clients' contributions and which ones don't. Clients of any lobbyist try to contribute to those legislators that they
feel are doing a good job and are reasonably accessible and reasonably understanding or willing to listen. But there are clients who would not waste a nickel on certain legislators because they know that that legislator is never going to give them a vote regardless of what they do or what their lobbyist does for them.

REINIER: So the lobbyist really does have some discretion in directing the contribution that's made by the client?

LYON: It's my understanding that's the current interpretation. There have been a number of lawsuits since Prop. 9 became law in January of '75 that have interpreted that act. My recollection is that one of them is that it is perfectly legal for a lobbyist to communicate with his client concerning that client's contribution. It's totally illegal under the interpretations that have been given to the act for a lobbyist to be the visible point man in arranging a gift. It seems strange when you stop and analyze it. But one of our fellow lobbyists here, who is highly regarded, was cited and fined by the FPPC because his name appeared on a notice on the wall of the
Firehouse [Restaurant] as a contact for a dinner that was being put together for legislators. That that caused him to be "guilty" of "arranging" a gift, the dinner that the clients were putting on. This was not a campaign contribution. Say ABC company wants to invite twenty legislators to dinner at the Firehouse. ABC company's lobbyist invites them and then his name shows up. That's illegal.

REINIER: So you have to keep your name out of it.

LYON: There's plenty of it being done without the names being associated with it. It's still technically illegal to engage in "arranging" a gift. So to help your client arrange for the legislators or other designated people to be present at a dinner that the client is paying for is illegal.

REINIER: So how do you get around that?

LYON: Well, I don't try to get around it. But, it's a monstrosity in the law, let me say that. It's ridiculous. The FPPC is the nearest thing we have in California to an illegitimate big brother.

REINIER: What caused that really negative stereotype of lobbyists in 1974?
LYON: Let me put it this way, no rational student of the political scene would reach that conclusion. So I'm saying to you that Jerry Brown and Daniel Lowenstein had very irrational conclusions about the political process.

REINIER: Was fallout from Watergate a factor in this?

LYON: The fact that Prop. 9 passed in '74, without a doubt, was due in part to Watergate fallout. I think maybe an effective campaign against it could have been waged, had it not been for that occurrence. Jerry Brown was running for Governor in '74 and that was part of his... [Interrupt]

[End tape 3, side B]

[Begin tape 4, side A]

LYON: With respect to the effect of the Watergate situation on Proposition 9, it also applied to Jerry Brown's gubernatorial election in November of 1974. So I'm kind of reasoning back from that because [President Gerald] Ford pardoned Nixon, I think, in August of '74. We were, of course, very much interested in the campaign of Houston [I.] Flournoy against Jerry Brown for governor.

REINIER: He was controller then, wasn't he?
LYON: Houston Flournoy was controller having beaten Alan Cranston four years before, I think. So you had a race between the Republican occupant of the controller's office and the Democratic occupant of the secretary of state's office. It was so obvious to those of us who were involved sympathetically. I wasn't as a lobbyist involved, but Hugh Flournoy I'd known since before he came to the assembly. We were keenly interested in that race, and you could see the race come to a total standstill. Flournoy's campaign was dead in the water for about six weeks. It just had begun to revive very noticeably and very significantly a couple of weeks before the November election. Jerry Brown won by less than 100,000 votes or close to that, as I recall. We were absolutely convinced at the time that had the campaign been one week longer, Hugh Flournoy would have defeated Jerry Brown. There is no question that Houston Flournoy was denied the governorship in 1975 because of the Ford pardon of Nixon in August. Now, if Ford had done it six months later or two months sooner, it would have been a different matter. The timing was absolutely devastating
to Hugh Flournoy. I do not recall myself, Jackie, whether Prop. 9 was on the June ballot or the November ballot.¹ I can't say that that pardon had any influence. But the Watergate situation, of course, had been brewing for a long time and the public was obviously concerned and thought that this Prop. 9 would be a good thing. Most of whom voted for it had no way of knowing what was in it and did not know the dampening and negative effects that were quite unnecessary to achieving legitimate political reform.

REINIER: Now, how has Prop. 9 changed lobbying in California?

LYON: Well, we've referred to some aspects of it I think previously, but the biggest, single change that it affected was the former congenial relationships that could be formed between lobbyists and their families and legislators and their families.

REINIER: Because of the ten dollar limit?

LYON: Yes, that was the number one problem mechanically. There was also the atmosphere

¹Proposition 9 was on the June ballot in 1974.
that this created by making legislators feel like they were consorting with prostitutes or worse if they had that much social contact with lobbyists. Lobbyists were painted as corrupt, evil influences that ought to be banished. And if Lowenstein and Jerry Brown had had their way, they would have banished lobbying. You can't do it; it will always crop up somewhere because the public has a right to express its opinions. We have the right of free speech and assembly and all in this country. In fact, those constitutional rights have been referred to in several supreme court decisions that have held certain portions of the Prop. 9 act unconstitutional.

So that climate change was one factor. That would fade and could be overcome but for the ten dollar limit. Now, mind you, ten dollars would buy a lot more in '73 when they conceived the idea than it does fifteen years later in 1988. Legislators have occasionally introduced bills to raise that to twenty-five or fifty or some other comparable economic index figure. But to no avail because in one way or another some elements of the media will cause
them to be looked upon as prolobbyist and anticonstituent, or something like that. It's just too hot a potato to handle. So we have built in a very artificial, discriminatory limit on that kind of activity.

REINIER: Has that really changed the kind of entertaining that you can do?

LYON: Vastly, vastly. For many of us the only social contact we have now with a legislator is with him only or maybe a few of his staff at a fundraising event that he holds and one of our clients is able to buy a ticket to. Beyond that social contact is almost nil for most of us. Now, there are some that find ways to get around that. Like I did when I was a commuter, they work the day shift and the "night shift." I don't work the "night shift" anymore; we're just here like lawyers from eight to five. We have a lot of night sessions, you know, that sort of thing occasionally when the legislature gets jammed up.

But the whole process is so vastly different today. We hardly ever see a legislator's family. My wife knew all the legislators I knew. She knew and was close
friends with a lot of the families. Today she can't tell you who a quarter of the members of the legislature are, maybe not even 10 percent. They're all new people, all new names. She has no incentive or reason to try to keep up with who they are, what they're doing. And what she reads in the paper about some of them is somewhat revolting. It's just changed the whole picture. One legislator, whom we were able to entertain and be here with as a family, pre-Prop. 9--maybe there's more than one, but I'm thinking of one right now--we had some very good times together when our kids were young. We were all younger couples in those days. That's all out. You can't do that today unless you've got some kind of unique arrangement where you have a client that lives in your house or works in your office in some way so that you could be kind of a shadow of one another. I don't know whether those situations exist or not; I can imagine that some do. I'm sure that other lobbyists would probably tell you that they don't feel as circumscribed as I do and Al Davis does because we both used to operate in much the same way. But I don't see how they can get
around it very much.

REINIER: So you think there's a lot more distance now between lobbyists and legislators?

LYON: Lobbying has become much more an arm's length affair in terms of the personal relationships. I can't take a legislator out at night, who is a commuter type and here alone. My wife and I could take him out to dinner and visit. We could get to know more about his family and background. He could get to know more about us and why we tick the way we do, and we learn why he ticks the way he does. You can't do that now because I can't pay for taking him to dinner. No way because it's going to be over ten dollars. So as the ten dollar limit rapidly exceeded any rational figure, that kind of a social contact just disappeared.

REINIER: So it's more difficult to create the kind of friendship that a lobbyist needs in order to have access?

LYON: Well, we get access. Let's put it this way. One of the reasons why a client will buy tickets to a fundraiser is that, in many cases, it increases the likelihood of access. So that you are received, you're listened to.
Jackie, one may wonder why this lack of access without campaign contributions or whatever is so important, and why those of us who became lobbyists long before Prop. 9 was enacted feel the way we do. I realize that perhaps those who have come into lobbying in the last ten years would have a totally different point of view. They may not feel that they're held at arm's length as much as, say, I do, or others who are contemporaries, more or less, of mine. But there has been such a fundamental and significant change in the whole climate of the political process from those days when it was perfectly legitimate, perfectly accepted, for the legislator and his family and the lobbyist and his wife and family to enjoy social times together when they weren't working in the capitol. Of course, that was a part-time legislature; we now have a full-time legislature.

But I don't think that simple mechanical fact is the most significant one. What has happened is--and many of those who have been either legislators or lobbyists prior to 1975
have expressed this same opinion that my wife
and I have felt—that legislating and lobbying
are no longer fun. For generations, literally,
before Prop. 9 legislating and lobbying and
doing the work of good government—and there was
a lot of good government legislation enacted in
the decades prior to 1975—was fun. Nobody
thought that having good social contact and
trips together or dinners together or breakfasts
together or going to somebody's home for the
weekend or whatever else, nobody thought that
was evil or bad except the few like Jerry Brown
and Dan Lowenstein and some of the people who
helped them with that initiative. They were,
I'm convinced, in a small minority. But,
evertheless, that's history.

So we feel that the people have really not
gained anything. And those who do the people's
work, namely legislators and the Third House,
are short changed. And you can't function; no
legislative body can function without a
lobbyists' body. That's been my considered
judgment since I became a legislator.
Parenthetically, at the time I became a
legislator I really had very little idea what
lobbyists did. I'd read about Artie Samish as we discussed before when I was in law school. [Interruption]

I have very vivid recollections, shortly after my winning both nominations in the primary in June of '52, of being called upon by a lobbyist and his friend from the California Manufacturers Association and two lobbyists from the Pacific Telephone and Telegraph Company. They contacted me in my district, introduced themselves. We had lunch; we had some good visiting. Those two gentlemen were among the group that I came to highly respect and highly value their input and their judgment. It got me off to a good start in realizing the function of a lobbyist. I quickly learned, as every legislator must do, who are the ones you can count on, who are the ones you can trust. Of course, you find some that you personally like better than others. If they're doing their job right and they're the ethical people that you judge them to be, they're going to be very helpful to you.

REINIER: With information?

LYON: With information, with political activity.
Well, they helped me as a newcomer with understanding the legislative process. We didn't have orientation classes. Frankly, I may be conceited, but I never thought about it, never felt a lack of it, because I studied politics. I'd studied a lot about the process. So I felt very comfortable where I was. But I'll tell you, there's still a lot of details in just the mechanics of handling bills, amendments and all. They'd been around before, obviously, and so they were very helpful to me.

REINIER: So longevity is important for a lobbyist, isn't it? Like the legislators come and go, but the lobbyists stay. . .

LYON: They stay on forever maybe. I think some of the legislators feel I've stayed on forever. It's true, we as lobbyists have seen a lot of legislators come and go.

Lobbyists and the Role of Friendship in the Legislature

REINIER: But I wondered, is friendship a corrupting influence in the legislature?

LYON: I never saw an example of that. I never thought of it that way. We just were introduced into the process as it had existed for many years. It
seemed perfectly natural, perfectly comfortable. It made legislating a lot of fun. It wasn't a highly partisan battle of survival in office. In those days, of course, as a part-time legislator you were a person who was interested in politics. You were interested in government and trying to do something to help provide good and better laws. There never seemed to be any reason not to have fun doing it. We all did have a lot of very pleasant times together in those days. There is no way under Prop. 9 for that same kind of rapport--intimate understanding of the needs of a legislator and his family, where they come from, what makes him react to certain things the way he does--all of the little nuances of human relationship that I always felt, and still do feel, makes for better legislating and ultimately better law.

REINIER: But isn't a legislator likely to vote for a friend's bill simply because he likes the lobbyist?

LYON: That's quite possible. But I've never seen that. It's possible; I'm sure it has happened. I never voted for a lobbyist on an issue that he had approached me on just because he was a
friend. The interesting thing is you seldom become good friends with those that you don't agree with in large measure philosophically. And most votes, you know, on most issues follow some sort of philosophical skeletal backbone. And so the lobbyists with whom I as a legislator felt the most rapport basically viewed the issues the way I did. So, I can't recall any case. You know, it's a long time ago, but I think basically there was... .

Let me put it this way to bring it into contemporary terms. My belief at this stage would be that there was far less voting for a friend even if it was against your better judgment or against your conscience on an evaluation of an issue than there is today under the arm's length personal situation but where large sums of money are involved in many of the campaign contributions that are perfectly legal under the law. That gets into a whole other issue which is campaign reform which is on the ballot in '88.

REINIER: I think we should talk about that, though.

LYON: Well, I'd be perfectly happy to talk about it. But I hadn't thought about some of these aspects
or fallout, if you will, of the questions you asked. But I know there were people who used to complain and probably still do that it somehow or other is illicit for a legislator and a lobbyist to be friendly enough that one might think they voted for an issue just because of the friendship and not because they had a common belief in the point that was being voted on.

REINIER: Well, friendships must help some lobbyists more than others. For example, a former legislator must have an access through friendships that somebody who wasn't a former legislator wouldn't have.

LYON: Oh, there's no doubt about that. And yet many nonformer legislators have been very successful lobbyists both before and after Prop. 9 as far as that's concerned. I knew a few lobbyists in my terms that were former legislators but the vast majority were not. So that didn't seem to play a role in it. I know that when I became a lobbyist, I had a lot of friends in the legislature, but I wasn't unique. There were other lobbyists that were former legislators too within a reasonable period of time before and after. Not so many before; there were some
after. But I just really don't think there's much basis for believing that friendship among legislators and lobbyists creates unethical votes.

REINIER: I wondered about women lobbyists. Do they lack the kind of access that some of the men have through friendships? It must be harder for them.

LYON: I don't think so. I don't think so. The number of women lobbyists has probably quintupled in the last twelve years. I remember going through the lobby registration book and just counting female faces from a book that was fifteen years old, or something like that, and a current one. This was two or three years ago, and it seemed to me that there were at least five times as many. And then it's been increasing ever since. There are a lot of lady lobbyists. And they do, as far as I can see, equally well, if not better. Actually, there are ways in which they can do better than a man because the majority of legislators are still male. And a female lobbyist is harder for a legislator to turn down, shuck off, or snub than a man would be. So, no, I don't think there's any problem there.
REINIER: Do you think then that friendship has declined in recent years compared to what it used to be?
LYON: Using the definition of friendship that's implicit in all that I've said, yes. I'm sure other people might come up with a different definition of friendship, maybe give a different answer. But the fact is legislating today is fundamentally much more at arm's length than it ever was pre-Prop. 9.

Negative Image of Lobbyists

REINIER: You said something before about the negative image of lobbyists. Do you think that lobbyists have overcome some of that negative image since 1974?
LYON: I'm not sure that that's true. I think, as a matter of fact, lobbyists didn't have all that negative an image prior to '74 except for the Prop. 9 campaign and the misrepresentations made by the proponents of that initiative with respect to lobbying and lobbyists. I suppose the single most detrimental factor in the whole picture of lobbying and legislating in the last fifty years or maybe in this whole century was Artie Samish's involvement and the articles that were written. I think Artie Samish's influence
was egotistically overstated from talking with many people who served here as lobbyists and legislators in the ten years before I hit the scene. The Lester Velie articles in the summer of '49 in *Collier's* magazine really exaggerated his influence. And certainly exaggerated the negative alleged impact of his activities here. One has to remember that when Artie Samish was at his height of legislative influence—whenever that might have been, I don't know, ten or twenty years prior to his downfall after 1949—legislators were paid a total of $100 a month. There was no way a legislator who wasn't well-to-do or retired and well-to-do could come to Sacramento and pay his own way if he didn't have those basic resources. If he were a young person who didn't have financial backing, he couldn't live here without the help, financially, of the lobby group. And that was unfortunate, I think. That led to the increase from $100 a month to $300 a month which only occurred a few years before I came up here. And the increase by popular vote in November of '54 from $300 to $500 affected me for seven months. So only seven months of the two terms that I was
elected for did I receive $500. The other was $300 a month. And the perks were nonexistent. You had fourteen dollars a day per diem both for the time in session and the interim committee hearing days. It was limited to forty days per biennium. So, in those days before I came up here there was some dependence upon the meals and some of them had motel rooms paid for by some... By lobbyists?

REINIER: . . . By lobbyists?

LYON: By lobby groups. Maybe not by the lobbyists but by the industry or the labor union or whatever they represented. Every facet of society is represented by lobbyists: teachers, churches, labor unions, veterans groups, you name it. So maybe we've gotten a little away from your original question, but I think, no, lobbyists probably are no less well thought of today than they were then. Periodically you get a rash of media attention. Somebody's looking for a story and so they go redo something that was done three, four, five years ago. And it's interesting. If it's done reasonably objectively, it's good political science. But overall I don't think it has changed that much.
REINIER: You mean the view of lobbyists, the public view?
LYON: The public's perception of a lobbyist is probably no better, no worse, than it was thirty years ago.

Campaign Financing

REINIER: Now what about the issues of campaign financing? Do you think that California needs campaign financing reform?
LYON: You know, I've thought about it a great deal. I've heard debates just recently at some length between Assemblyman Ross Johnson, for example, supporting his initiative [Proposition 73, Primary, 1988: Campaign Financing] that is going to be on the ballot, and the speaker for the Gerkin proposal [Proposition 68, Primary Election, 1988: Campaign Financing] that's on the ballot. The Gerkin proposal I wouldn't support personally because it does have public financing. I have always been, as Ross Johnson is, opposed to the tax payer funding any political campaign. I just don't think that's right. It is potentially a source of greater abuse in the total political picture than we've ever seen in any other way.

Saying that doesn't mean that I'm happy
with the cost of campaigns or the constant search for funds that legislators are put to. I know that legislators in most cases don't enjoy having to constantly seek campaign contributions. It's a full-time matter with many of them, particularly if they come from contestable districts, one where there's a tough race. Those who come from sure Democrat districts or sure Republican districts don't have the need to raise as many dollars per campaign year. But the costs in many are literally outrageous. When they get to be a million dollars or more per candidate in a district, you've got an awful lot of money having to be raised and spent. Unfortunately, as I recall some of those debate discussions, there are severe constitutional limitations on expenditures. You can limit contributions per person constitutionally, but per candidate it's still unconstitutional to limit expenditures. Unless--I don't know how this quirk comes into it; that's why the Gerkin amendment is drafted the way it is--if you provide some public financing, then the courts have said it's constitutional to limit expenditures. It's kind
of a back door approach it seems to me and unfortunate.

The fact is I don't have any agenda for campaign reform. I haven't seen one that's all that well thought out. I think the Ross Johnson amendment, Proposition 73, comes closer to what I believe would be effective.\textsuperscript{1} I think one of the key points in that is a limitation on intercandidate transfers. I think both initiatives have something on that now. Personally, if there weren't public financing involved, I would go for an initiative or any other measure that puts a severe limitation on that for the reason that a speaker of the assembly or a pro tem of the senate has the leverage to raise large amounts of campaign funds. Then to enhance his power he's able to give those out to other members of his own party and their districts in whichever house it is. That tends to build a legislative political machine that is not helpful, I think, for the body politic. And I think a lot of students of

\textsuperscript{1}Proposition 73 passed in June, 1988, receiving more votes than the Gerkin measure, Proposition 68, and thus became the prevailing law in January, 1989.
political science agree with that. How to reach these goals without breaching some constitutional limitations is a real problem. So we don't have a real good solution at this time. But I think all of us would like to see a great deemphasis on fund raising.

[End tape 4, side A]
[Begin tape 4, side B]

Lobbyists and Fund Raising

REINIER: Well now, are you under quite a bit of pressure to provide campaign funds from the clients?

LYON: I wouldn't call it pressure; that wouldn't be an appropriate term. But we do get solicitations from most of the legislators from time to time whenever they're holding a fund raising event. One of Al Davis' and my biggest problems is that the majority of our clients don't have any political action fund whatever. So we're not able to buy as many or go to as many events as we otherwise would like to. Secondly, the clients that do have political action funds have to use those with some discretion. So there again, they have to be selective. There are a lot of legislators that I would personally like to be able to spend more
time with, but I can't because the client doesn't have any legitimate reason to buy. When I say legitimate reason you may wonder what that means. That means that those legislators aren't on committees or in positions of leadership which would be of any direct connection to that client's "investment."

REINIER: For example, going to the speaker's fund raisers must be important to every client.

LYON: Not necessarily.

REINIER: Why not?

LYON: Because some people don't deal through the speaker. The media would have one think that you couldn't get legislation passed or defeated without involving the speaker, but that isn't so.

REINIER: How do you do it then?

LYON: Depends on the profile of the particular piece of legislation.

REINIER: With whom do you deal then?

LYON: We deal with individual legislators generally. That is, our clients, those few that do have political action funds. They make contributions in one way or another. But on the scale that would involve anything more than casual access,
no, none of them does.

REINIER: So is most of the fund raising attending the fund raising dinners and things for the candidate? Is that most of what you do to contribute?

LYON: I'd better rephrase that. Because we go to political fund raising events for which a client has bought a ticket. But, the adjective you used—I forget what it was—doesn't fit me that well. The fact is that we don't make any contributions as I explained before. But when we get a chance to go, it gives us a chance to visit with the host, let's say, whom we can also visit with in the corridor in the capitol if we haven't seen him between committee meetings or something. Interestingly enough, many of the legislators who have fund raiser events invite some or all of their caucus colleagues to attend also. So you do get a chance, many times, to visit with a half a dozen different legislators at a given fund raiser cocktail party. The downside to that is you may see five of those eight are people from whom you've also received invitations but for whom your clients haven't bought any ticket. So you know that they say,
"How come Joe Blow is at this one, but he's not over at mine last week?"

REINIER: But there must be some crossover for your clients. As a contract lobbyist you represent several clients.

LYON: Let's put it this way. Those who don't, get a free ride, to some extent, on those who do, quite honestly. But, you know, there are some business organizations and some companies that have had a policy from years and years back. They don't participate; they don't buy tickets. They don't put any money into an initiative or a referendum or anything else. We think that's poor citizenship as well as poor politics. But, after all, they do retain us to do the best we can even though they don't provide any assistance to the legislators.

Procedures of a Lobbyist

REINIER: I don't think that we've talked enough about how your job really works, as a lobbyist.

LYON: It's very hard to describe because most of what I do in a given week would technically not be lobbying. I can go weeks and not talk to one legislator. I might go a week and not talk to one staff person about a bill. But I may be
very busy that week working on issues that are related to either potential upcoming legislation or legislation that is contemplated. It varies so much from bill to bill that you're working on whether you need to talk to more than one member of a committee, talk to every member of a committee, or eight out of ten members, or whatever. There are never two days alike in this business. Since I've become a contract lobbyist and since the legislature is more and more full-time--literally they're not meeting any longer than they were twelve years ago--it seems like it's more crowded and more harried and more hectic. So we're busy. Interesting, this is Easter week and yet I have been under as much pressure, stress, hard work, phone calls, correspondence, memoranda, you name it, as any week when they're in session.

REINIER: Well now, are most of the issues negotiated before the bill really gets to the committee?

LYON: That's a good question. If at all possible you try to do that if it's a bill that you're moving for a client. I've done a lot of that in the last twelve years. Did some of it for the railroads too, but with the railroads it was 90
percent defensive. With one of our major clients it's about as much offensive, not using that term in the derogatory sense. But we're moving legislation, affirmative legislation. . .

REINIER: Rather than trying to stop negative legislation.

LYON: That's right. We do both for this particular client. And I've been involved, personally, in more bills for or against, more bills on behalf of that one client, than all the others put together because it involves areas of the law that are constantly changing. Whereas your corporate clients or your association clients may have a lot of involvement in many detail ways in a bill for a whole year or two or three or a program that resulted from a bill.

But, ideally, if you put a bill in, you try to work out all the rough spots before you go to hearing. If you find that somebody has an opposition position to some portion of your bill, you sit down and try to work it out. And I've spent, collectively, hundreds and hundreds of hours in the last twelve years doing that on a number of affirmative bills. The same way with bills that somebody else has and is sponsoring. We find a problem with that, and so
we make constructive suggestions or a way to make alternative suggestions, and see if we can sell those. If we can't sell them to the active parties, you try to sell them to the legislators on the committee.

So you do strive to get a bill worked to the position where you don't have to oppose it, and you don't have anybody else opposing it, by the time it comes to hearing. Not very easy with the number of bills that have to be processed in such limited time frames now. So that many bills get out of the first committee when you're still debating about a point. You make your opposition known, or they make their opposition known. But sometimes they're willing to agree and will keep talking. Your question is a good one, and often times you are able to solve the problem before you come to hearing.

REINIER: And then the bill has to be steered through the committee and the floor vote...

LYON: We generally explain to clients or potential clients that this bill or that bill has either five hurdles or seven hurdles. If it's a nonfiscal committee reference, it has five hurdles. If it has a fiscal committee
reference, either Ways and Means or Senate Finance—could be both, could be either one or both committees—that gives you seven hurdles. The reason is, you have a policy committee for the bill, then it has to go the fiscal committee, the Ways and Means Committee. Then it goes to the floor of the house of origin, got to pass the floor. Same process all over again: policy committee, fiscal committee and floor on the other side. And then to the governor. The governor is the fifth or the seventh hurdle, depending.

And you have one other step frequently—I've not been involved in it too many times in the thirty years I've been around here—and that's the conference committee. The conference committee is when either the senate or the assembly has rejected the amendments that the other house has put into its bill, so you vote nonconcurrence. Then each house leadership appoints three conferees; so you have a six member conference committee, and you try to work out the differences. One of the complaints about that process over the years has been that bills have emerged that bore little or no
resemblance to either of the two that went into the conference committee. It has been abused to bypass the committee process. They've put some restrictions on that, so that they are monitoring that better than they used to.

REINIER: Well, in this discussion I'm worrying a little bit about what we used to call the public good. Does the public interest get lost in all of this negotiation?

LYON: I don't think so because the kind of bills that I was describing are very limited interest bills. That's what I meant by low profile. On behalf of this client that I mentioned that we have so many bills for over the last eight years, it involves a very limited number of people in the whole state of California. It involves the administration of justice. We work with the bar association, the trial lawyers and judicial council as interested parties. Actually, to give an example there, we spent scores of hours collectively, I and my client. People probably spent hundreds of hours a year to a year and a half ago working with the staff of the Judicial Council of California in their committee, their so-called Judicial Forms.
Committee, on the preparation and construction of new subpoenas, proof of return of service forms, that were necessitated by changes in the substantive law the year before. But for our active involvement, much of it on our own initiative, offering our help, the public would have been ill served by very inadequately prepared forms. Very complicated legislation. In all honesty this is not derogating the council because they worked with us very well and ultimately incorporated much of what we suggested was necessary. And others joined us; the county clerks joined us--the photocopiers and process servers association that we represented.

REINIER: That's the client. . .

LYON: That was the client [California Association of Photocopiers and Process Servers]. It's kind of a unique client among all of ours in the sense that they're all little individual entrepreneurs or small companies. They're not Chrysler [Corporation] or Dow Chemical [Company] or the Can Manufacturers Institute or the recreational vehicle manufacturers, but they're individual people. They do work for lawyers; lawyers are
their clients, so it's part of the administration-of-justice process. Well, that was an example of where the legislation that we work on, pro and con, does ultimately affect a lot of people: the lawyers, the judges, and the process servers and the rest of them. I would say that the process I just described a little earlier does result in providing a product that is in the public interest.

I don't know that I can even think of an example where legislating does not result in—except where you've got a policy decision, like abortion or nonabortion. Those are high profile issues where you've got huge groups in the total population of California that think one approach is a disaster or that the other approach is a disaster. And so who's to say which is in the public interest. There's plenty of public input, but the ultimate result may adversely affect one segment and conversely the other segment. So there's no way that I know of that one can say—notwithstanding all the shortcomings that are perceived in the legislative process and among individual legislators that approach it—that collectively
the public interest isn't being served. Of course, I always fall back and say the public gets exactly what they deserve because what they get is produced by the people they elect.

REINIER: That's what Artie Samish said! He used to say that the reason he ran things the way he did was because the public wasn't paying enough attention.

LYON: Well, I didn't say that. I said that the public, and this goes for the whole country, that the legislative bodies that somebody may complain about--some individual lobbyist like me or individual professor like yourself--those legislative bodies are elected by the people. I've been aware of that all my life. So wherever I have a criticism, I include both the public and the legislator. If I have a negative reaction to a given legislator or what a given group of legislators produce in the way of legislative enactment, I hold the public who elected them equally responsible. Though, I don't know how you're going to segregate that.

Your question is a commonly asked one, but the legislature and those who assist with input to the legislature are multifaceted. They can
be demonstration groups on the Capitol steps; they have some input, too. But all those inputs result in legislation that year in and year out is going to reflect pretty much what the majority will or attitude of the public is. I think it's pretty hard to say that the public isn't well served. How do you define well, I suppose. The public is well served to the extent that they have to give some weight to their own input or lack of it. You're asking me to frame thoughts into words that I probably haven't even fully developed or had an occasion to articulate for a long, long time, if ever.

REINIER: Well, I was wondering, does a public protest in this process really have very much weight if so much of the negotiation goes on even before the committee hearing?

LYON: Well, I detect in that question some inference that negotiation prior to a committee hearing is somehow or other circumventing the process. That's not true. There is no way in a committee hearing, when you've got three dozen bills and a two-hour-and-a-half session to consider, that you can hear pros and cons on every aspect of that in the abstract without some prior input.
If every bill went to hearing without a lot of thought and effort and draftsmanship, without proposal and counterproposal beforehand, you'd have a total disaster. The entire machinery would come to a screeching halt in two hours. No, all that advance work is definitely in the public interest. It is not circumventing the public interest, believe me. Demonstrations are only one of many inputs. Some legislators are affected by them; some are totally unaffected by them. The larger the group—did they get five thousand of one particular point of view on the Capitol steps—the legislators who are receptive to that point of view are going to be reinforced. If they're wobbling maybe, they're going to be reinforced. So it's a part of the total process. I think anyone who thinks that the public is left out is perhaps missing some of the points that I think are important anyway.

REINIER: Hasn't lobbying grown tremendously in recent years? For example, since you've been back here working with Mr. Davis, hasn't the business of lobbying boomed in California? Would you say that?

LYON: Well, there are more lobbyists. One reason
there are more lobbyists is that there are so many more bills affecting so many different areas of our public and private lives that never were dreamed of thirty years ago. You've got bills on drugs, you've got bills on age, you've got bills on abortion. You've got bills on all kinds of issues that nobody ever thought of a bill on that subject area even twenty years ago or ten years ago, much less thirty years ago.

So there is a lot more paper pushing in the whole process. It's like committees and subcommittees and subcommittees of subcommittees, I guess, over the years. So that inevitably it requires a larger lobbying corps to deal with all the multiplying areas of legislation that we have compared with the relatively smaller number thirty years ago. I think, now that you've asked me to think about it, that's probably the way I'd respond. I hadn't really thought about it.

REINIER: So a growing complexity and diversity of interests in the state... 

LYON: Excellent way to put it, really.

REINIER: ...has made the lobbying business boom.

LYON: The same as staffs have boomed. I think we have
ten times as many staff people as we had thirty years ago. We don't have ten times as many lobbyists, but we probably have five times.

REINIER: You must find yourself working with staff quite a bit of the time.

LYON: Quite a bit, quite a bit. That's true. There's no way it can be avoided, even if you want to avoid it. Legislating, legislation in itself, the process even of service of the Legislative Counsel, has become so much more complex than it was in the day of the part-time legislature. But it takes a lot of people; just takes a lot of people. And the legislator's time is so fractured compared to what it used to be. He's spread so much thinner than I was when I was in the legislature. I didn't have a problem finding time in any given week to talk to any lobbyist that wanted to talk to me or anybody else that had a problem. Now, they have real difficulty; they're spread all over the place. You've got to talk to the staff person. The staff people are outstanding, qualified people in almost every case. There's no negative reaction to that. If a legislator is carrying a pretty heavy legislative program, he needs a
number of staff people just to keep things sorted out and funnel the essentials to that legislator. Much more complicated.

REINIER: Do you also find yourself working with administrators to follow through on a piece of legislation? Or with commissions?

LYON: You mean like an agency, or department officials? Is that what you mean by administrators?

REINIER: Yes.

LYON: Well, sometimes yes. It depends on the year, the client, and the problems. I've been involved in agency work to get a problem solved. And I've worked with agencies to get legislation enacted. So, from time to time. One year I'll be spending a lot of time with the Energy Commission on behalf of a client, another year with the Board of Equalization, another year with the Department of Agriculture. It just changes constantly.

REINIER: But you think that's an important aspect of your job.

LYON: Absolutely. Many lobbyists find themselves working in the same panoply of places and issues that we do. We're not uncommon in that aspect.
REINIER: I wanted to ask you, what skills does a lobbyist need?

LYON: You'll get a lot of different answers from many different lobbyists, I'm sure. Like they say, every lawyer has a different opinion. It depends on where you've come from, I suppose, and what you think is important. I remember the very experienced lobbyist who approached me initially with the idea, "Would you be interested in becoming a lobbyist, LeRoy?" One of the criteria that he knew was needed—and he was a good example of—is do you like people, do you get along well with people. If you don't, then I think that's one missing element. And you've got to enjoy government. You've got to enjoy politics. We were able to participate in "politics" prior to Prop. 9, really, in an effective way. We don't participate in "politics" since Prop. 9 for a lot of the reasons I've already explained.

REINIER: What do you mean by participating in politics, though?

LYON: Well. . .

REINIER: Seems to me you're right there in the process.

LYON: We're on the fringe more. I guess party
politics maybe is what I'm thinking of. You know, in the earlier days when you could entertain I'd go to the Republican and Democratic party functions all over the state from time to time, or in Washington, D.C. when I was back there. We just don't do that anymore. That's just a nonexisting part of our effort. For one who came out of politics and was in the legislature, political party activity in both parties was always a fascinating and constructive part of my lobbying effort. The more you know about each politician and each legislator and each upcoming politician who's not yet a legislator, the better able you are to communicate your clients' needs and problems. It's just one of those things where everything you've ever done at some point in time will come into play as an aid in dealing with some legislator on some issue at some time. I've drawn on my background in geology, my background in the navy, my background in living on an orange grove. Everything I've ever done has had some valuable reference point in dealing with something since I became a lobbyist. As it did when I was a legislator, too, for that matter.
I've lived over half my life since I got out of the legislature, not over half, but almost half.

REINIER: So you really have been a lobbyist for a long time.

LYON: Started on July 1 of '55; it will be thirty-three years ago this July. I was thirty-four and a half when I left the legislature. So that gives you a little picture.

REINIER: Well, maybe we should go back to this whole issue of change over that long time that you've been a member of the Third House. We've mentioned some changes, are there any other changes that we should bring up that are striking to you?

LYON: That's a hard one to answer because it seems like we've talked about most of them. I'm just having to think out loud now as to what we've omitted, if anything. People are pretty much the same. People have been pretty much the same for a few thousand years, I think. Lobbying, the technique, has changed a great deal to meet the changing legislative picture under Prop. 9. The legislature's function has changed a great deal, as we've discussed.

Probably one aspect of that change, or one
reason for that change that we haven't mentioned, is the tremendous growth in California's population during that period of time. I'm not sure now what the total state population was in 1952, but I think it was not a great deal more than half of what it is today. We're approaching, I think, twenty-six or twenty-seven million people. I think we had no more than twelve or fifteen at that time. Orange County had 220,000 and they have over two and a quarter million now. That's grown more rapidly than the state. It gives you an idea. San Diego County is pretty much the same way. I don't know of anything else that we haven't touched on.

**Comparison of Fund Raising and Campaign Financing on State and Federal Levels**

REINIER: There was an article in the *Wall Street Journal*, I think a week ago, about the Californiazation, is that the word, of congress. The argument, as I understand it, was that congress is becoming more like California in the way it operates. Do you think that's the case?

LYON: Well, I wish I'd read the article because I'm not sure what aspects of the legislative process
they might have been talking about. The committee process is still significantly different as we discussed earlier. The electing process is still the same. Reapportionment is still done by California's legislature for both congressional and legislative seats although the congressional delegation has a major input, depending upon the forcefulness of the individual. [A. Phillip] Phil Burton had a tremendous input into the '81 reapportionment maps, particularly on behalf of the congress. I don't know what that article was referring to. Alan Cranston is, of course, a California leader in the senate. Tony Coelho, who was a staffer when I used to call on his boss, Congressman Bernie [F.] Sisk from Fresno, is now the Fresno congressman. Now he's occupying quite a leadership position.

REINIER: I think maybe. . .

LYON: Some of the California congressmen are exerting a great deal of national congressional leadership. To that extent there may be some influence as to how California politicians think and work. But I haven't been aware of any basic changes in seniority rules or committee
functions or any of those things.

REINIER: Or the role of money. Do you think, for example, the issue of campaign contributions or the issue of PACs [political action committees] have a similar impact?

LYON: Well, I'm not aware of it. I think, just off the top of my head, that as far as the congress is concerned. . .

[End tape 4, side B]

[Begin tape 5, side A]

LYON: With respect to the differences between fund raising and campaigning at the congressional level and the state level, it's my belief and my understanding that there have been far fewer changes at the congressional level than there have been at the state level for campaigning. Fund raising has taken a completely different turn since Prop. 9, gradually, in California. The frequent solicitation of a lobbyist's clients for purchase of $500 tickets to a legislator's fund raising cocktail hour, that's just the result of a tremendous transition from fifteen years ago. It hadn't occurred to me earlier but it may be that this fund raising situation in California has been exacerbated by
the very existence of Prop. 9 which changed the role of the lobbyist for one thing in dealing with the legislature and in having an intimate role in the transmission of funds from a client source to a legislator. The mechanics and the restrictions and the reporting elements under the Fair Political Practices Act are as onerous to candidates and legislators as they are to the Third House and to Third House clients. So the whole process in California has been made much more complicated.

There's nothing like that on the federal scene that has complicated or changed in any significant way the mechanism of fund raising and campaign expenditures for the congressman. California congressmen, of course, do have to report under the Fair Political Practices Act to some extent. But basically they report to the House of Representatives. I may be incorrect; they may not even be under the jurisdiction of the FPPC at all. But the fact is, I think, that if one were to look at the cost of a congressional campaign today in California as compared with a California congressional campaign fifteen years ago, you'd find that the
increase is probably more closely related to the cost of living, the cost of stamps, the cost of postage, the cost of television—those elements of the cost-of-living index factor—than is true of the legislators in California.

The state legislature collectively spends many times more than the increase in any cost-of-living index. Individual assembly or senate races are now costing a million dollars in many cases, $500,000 for each candidate, Democrat or Republican, in many other cases. When I was first with the railroad association and had something to do with campaign assistance, it was felt that $150 or $200 a biennium was very good for an assemblyman and maybe $300 or $400 for the same period of time was quite adequate for a state senator. We figured then that campaign costs per assemblyman would run maybe $25,000 per biennium per candidate and maybe as high as $50,000 for a state senator. Well, you can see that those have been multiplied ten to twenty times.

REINIER: Why does it cost so much? Where does all that money go?

LYON: It goes into elements of a campaign that didn't
even exist thirty years ago. All of the high tech [technology] voter sampling, the poll taking that's done to determine how people think in any given part of a community or district. One of the many factors that we didn't even touch upon was the 1964 "one man one vote" [Reynolds v. Sims, United States Supreme Court] decision that had a lot to do with the way districts are put together. See, California originally had assembly districts that were pretty much community oriented. You always had a senate district that was a county or no more than three counties by county lines. Now all assembly and senate districts are based upon census tract areas and have very little relationship to communities of interest or cities or county lines. That changed the campaign requirements. So you are analyzing not by community reaction but by how people in any particular area vote. One census tract may be 50 percent black, 50 percent Hispanic, 50 percent white, or whatever combination. And so there is a very technologically advanced approach to campaigning. All of those elements cost money.
We may have put out one mailer in a campaign in '52 or '54. They put out six or eight or ten mailers in one campaign in '86. That costs a lot more money. Postage was then four cents in '52. It's going to be twenty-five cents in a few weeks, right after Easter, next week. Television was not a factor whatever in '52 in state legislative races, or '54 or '56. It was a long time before TV became a factor. And a lot of legislative races can't use TV. Like Los Angeles, a television ad for one assembly district is going to be viewed by literally forty assembly districts: Orange County, part of two other counties, and thirty-three in L.A. County. So those are some of the reasons.

Now you may say, well don't those apply to the congressional districts too? To some extent they do. But—I say this based upon no recent reading of statistics on it—my perception is that fundamentally the way a congressional campaign is run hasn't changed that much. They use TV, of course, and they use computers; they use perhaps more mailers. But one other aspect of the cost of campaigns has got to be the
increased partisanism for state legislators, the full-time legislator, the full-time legislature, the need to retain that seat. The motivation to stay in office has got to be a lot greater than it was when you could take it or leave it as a part-time proposition.

REINIER: Because that's your job.

LYON: Yes. I was interested in looking down the roster the other day where they list the occupation of the legislator. Two-thirds or more were listed as full-time legislator. Very few were listing themselves as businessman or attorney or other. It's interesting; in earlier days there was no such thing as a full-time legislator. You were either a farmer, rancher, teacher, doctor, dentist, or whatever you happened to come from. It's hard to give any single answer, but my perception is that California campaigns--California legislative races and the costs of financing them, the methods of financing--have changed a great deal more in thirty years than have the congressional. I could be in some error on that, but I think basically, overall, one would probably find that true.
REINIER: And California is probably leading the nation in these trends. Would you say so?

LYON: Well, yes. I have some qualms about using the word "leading". I'm not sure whether it's negative leading or positive leading. But the fact is that we are a trend setter. Other states have gone to full-time legislature format as a result of Jesse Unruh's innovations here in California, his sponsored changes. The legislators' salaries have increased, but generally speaking, the cost of a [California] campaign today to a candidate in Indiana is viewed as outrageous and incomprehensible. I had the occasion to talk to an Indiana state senator a few weeks ago. Talking about the fund raising events we hold here was mind-boggling to him. So we have changed proportionally a great deal more than other states, than other jurisdictions.

REINIER: And in your point of view, these are negative changes?

LYON: Well, I think not only in my point of view. I think a great many of the political observers today feel that the tremendous increase in the costs of campaigns and therefore the tremendous
increase in the amount of funds that need to be raised are a negative factor in the total political process.

REINIER: As a lobbyist has this kind of strained your relationship with legislators to be under this fund raising pressure all the time?

LYON: I haven't sensed that really. There's a little bit as I explained before when you go to one candidate's fund raiser and find he's got five colleagues there whose fund raisers you weren't able to get a client to buy a ticket to or didn't have a client who had a reason to. So there is a little. The legislator probably feels it as much as we do. I'll tell you, I would rather be where I am with the strains that I have than to be a legislator having to constantly be faced with the need to solicit so darned much money. I know many of them don't really like it. But they're stuck with it. It's part of the process. And I don't think anybody has a good solution to it. I haven't seen one yet. There are some partial ones, as we explained earlier, but it's a tough one. It's kind of like putting Humpty Dumpty back together again.
REINIER: So it's a big part of the job?
LYON: Well, fund raising on the part of a legislator is a big part of the job, not a big part of my job. I go to a few of them, but relatively few compared to the total number.
REINIER: Well, I've certainly enjoyed this opportunity to chat with you. Thank you for participating in the State Archives project.
LYON: Jackie, it's been a pleasure and quite a learning and reviewing experience for me. I hope it's been productive for those who may find something of interest in it.
REINIER: Very much so.
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