

RICHARD RATCLIFF TRANSCRIPT
“The Lobbyist Who Listened”

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STEVE WIEGAND: Hello, my name is Steve Wiegand. For 35 years I was a reporter and columnist for the San Diego Evening Tribune, the San Francisco Chronicle and the Sacramento Bee. For much of that time, I was lucky enough to cover the California Legislature and politics and government in the state. With me today is Richard Ratcliff. For four decades, Dick was a registered lobbyist representing a host of issues, interests, and industries. He was consistently considered by his peers, the press, and politicians to be one of most influential, the most effective, and most thoughtful legislative advocates in the Capitol. On top of all that, he's an accomplished sculptor. Dick, it's great to see you and have a chance to talk about your career and your perspectives on California politics and government. Over the years, you must have stood or sat before hundreds of legislative committees and introduced yourself, and said who you were representing, and then presented your arguments for or against a prospective bill. I wanted to start out by asking, do you recall some of your earliest appearances before committees and how did that go?

RICHARD RATCLIFF: Well, a few of those experiences were dictated by the circumstances, the personalities of the people involved, the needs of my client, and things that I thought would make sense. It was really hard to get more specific than that because it was a decision of the moment. The circumstances in the beginning of my career, which was in 1960, was very different than what it was on my retirement.

STEVE WIEGAND: How so?

RICHARD RATCLIFF: It was different because the circumstances that drove politics generally, including the lobbyist's involvement, were dictated by all kinds of strange and not necessarily related circumstances. Things that the people voted on, there were decisions made by the leadership of one house or the other and they tailored those to reach their particular decisions at the time. And that made it difficult again to discuss it intelligently because you were trying to basically develop a sense of factual circumstances out of what really were rumors. The nature of a lobbyist in terms of his role was closely tied to what rumors he was working on.

STEVE WIEGAND: When you say rumors, you mean rumors about the particular dynamics behind who is going to be for the bill and who is against it or what each individual legislator was thinking about or could be swayed by?

RICHARD RATCLIFF: Those were circumstances that came into play but the rumors that, to me, were really important were the ones that as I started to work on an issue for a client, I needed to understand how this worked in the viewpoint of the process itself. And that often was different from the viewpoint of legislators. If there were other lobbyists involved, how they saw it and there was one very basic one and that is the relationship between me as a lobbyist and the client. Clients often came with different circumstances depending on how whoever I was talking to with the client saw the issue.

STEVE WIEGAND: When you were dealing with associations as you did, sometimes you had specific individual clients and sometimes you had groups, the dynamics within the group, did you have to feel out where everybody was and get a united sense from the group that this was the way they wanted to go, for or against the bill?

RICHARD RATCLIFF: Yes, is the easy answer to that. The difficult one is how you went about it. [Chuckle] In that partly because as a lobbyist, I, in effect, was in between the Legislature and the members of the Legislature and the client. Clients very often had their own take on what an issue was and why it was good or bad and what we should do about it. That circumstance is something that had to be dealt with from my viewpoint because I was talking to both people at the same time, not literally at the same time, but in the same context on the issue presented by the bill.

STEVE WIEGAND: You, for a long time, were the lobbyist for the California Bankers Association. And from time to time there were bills that came up that maybe some of the small banks would be for and the big banks would be against or vice versa. How did you handle getting a consensus among the banks before you went and lobbied at the Legislature?

RICHARD RATCLIFF: Well, I explained to them that what I had to know was how they were going to look at this themselves. And there was a committee to which I was assigned the responsibility. It was in the case of the banks were kind of interesting in that they had had some personally difficult relations with some of the legislators, and I tried to get those things out of the way. And then basically made it their responsibility to take what I told them I saw the issue was, and what the circumstances were and not necessarily have them just dictate how it worked. As a practical matter, it was a lot easier than that because there was a breakdown among the banks themselves. There was the Bank of America, there were other large banks, there were banks that have been purchased by another bank in the meantime. [Chuckle]

There was the regulatory situation by the feds and then also the state regulatory stance. And so the result of that was like a soup, and you wanted to get a particular flavor to that soup when you went to a legislator and told him what your problem was. And then he had the opportunity of saying yes or no, depending on

what I was suggesting my client wanted to have happen. And he had to read the committee itself because it comes in steps. A bill is introduced and somebody drafted that. There were times when a member of his staff, his or her staff, was involved in doing the drafting. There may have been somebody in the administration that dictated how the draft was to be done. There were people in the legislative staff who had ideas and views on something. There was a current leadership position that may or may not have been involved. And all of those had to be kind of put together to the point where when it came time for me as a lobbyist to testify, what I wanted to do, what I tried to do was to take advantage of the fact that there was a public committee, people from the public sitting there. And to try and make it sound like we knew what we were talking about.

And sometimes that was the case, sometimes it was not. But it was something I tried to get spelled out and early on in the discussion so that when people asked questions, it gave me an idea of how to respond to that. And that, too, was a part of the soup that was involved.

STEVE WIEGAND: Was there another ingredient in the soup when you started, in that the Legislature itself wasn't so homogenous, there wasn't just Democrats as a block and Republicans a block but you had gradations of... you had moderate Republicans, and conservative Democrats. And so when you were either pitching a bill for support or opposition, you had to take that into account that you weren't just going to get all the Republicans voting together or all the Democrats on the committee voting together, but there were going to be variations.

RICHARD RATCLIFF: Yes. And if you were fortunate, you got to the point where you were speaking to that committee. And those are the constituent parts of the committee viewpoint. And if you were lucky, somebody on the committee would ask a question which would give you a chance to spell it out a little more clearly. And that's just something that you learn the hard way.

STEVE WIEGAND: Was that part of your learning process as to who your go-to legislators were, who got what you were saying and then could ask the questions that would let you get your point across?

RICHARD RATCLIFF: Yeah, I think so. There were issues where there was a specific relationship between the issue and the legislator. It may be something that took place in his district or her district. It could be that there's somebody in the banking community that had a relationship with one of the members and so you had to sort through that. Because really what you really like to have would be an active and proactive chairman of the committee which would help spell this out. And part of my role as a lobbyist was to start off figuring out where do we start on dealing with this issue. And if you could find a committee chairman who was either not interested or was interested in terms of something relating to our interests, that was obviously helpful.

STEVE WIEGAND: Did you run into, though, that chairmen that were proactive could also be dictatorial and maybe confined your arguments or confined what you wanted to do?

RICHARD RATCLIFF: Yes. That's a simple, clear answer to that one.

STEVE WIEGAND: I should ask, does anyone come to mind in particular?
[Laughter]

RICHARD RATCLIFF: About 120 of them. [Laughter] The nature of the political process as practiced by the California Legislature, was, mostly you're talking to people who don't know what you're talking about. They respond to some issue, that if you're smart, and if you're lucky and if you work at it, you've talked to each member of the committee that you can. Some don't want to talk to you, some want to know what you're doing, why you're doing it. And the staff is involved later on, not when I began because they didn't have legislative staff at that point, that came with Jess Unruh becoming Speaker. And it resulted in, I thought, a real improvement in the process.

STEVE WIEGAND: The increase in staff, they...

RICHARD RATCLIFF: Well, not just the increasing staff, but having a staff person who would participate in looking at this issue and deciding what was important from his boss's viewpoint.

STEVE WIEGAND: Was that ever an impediment though, in that...

RICHARD RATCLIFF: Sure.

STEVE WIEGAND: You ended up having to explain things to staff and then hope that they would explain it to their bosses?

RICHARD RATCLIFF: Yes, but if you were smart, you'd explain both to the staff and to the member. Because your goal at that point is to present a picture that the committee can react to, one way or the other. And there were staff people, as the staffing situation particularly in the Assembly was developed, who were activists on issues. There were some who just wanted to get an analysis done to give to the boss, who then distributed to the committee. And, from my viewpoint as a lobbyist, I was after, one of the goals I was after was to get that analysis done in such a manner as to not be harmful. Didn't necessarily have to be what I wanted it to be, because that's really wasn't what I was after at that point. At that point, I wanted to get that out to the committee, to get it started, and get the discussion started. If the committee just sat there like sticks and didn't do anything, that was more difficult almost than when you have at least one person on the committee actively examining an issue.

STEVE WIEGAND: As the staffs got larger and larger over the years and more specialized, did that make it easier for you as a lobbyist or more difficult?

RICHARD RATCLIFF: It depended really pretty much on the situation. If the staff came from the basic ambition of being the desired successor to his boss, so when his boss moved on. If he had in mind that he was going to move into that point, then what you've got is another set of issues that came into play, and you get to learn pretty quick if the individual were like that. And there's personality problems, too. And if you go and talk to the staff, and the person says, "[laughter], we're not going to do that," that becomes another part of the problem that the lobbyist has to get over.

STEVE WIEGAND: How did you handle that, where if you got a staff member who had his or her own agenda? Did you find yourself going to their boss, going to the elected official, the legislator in that case, and saying, "I can't work with so-and-so on your staff," or, "He's giving you the wrong information."

RICHARD RATCLIFF: You could try that, but that would be a difficult thing to accomplish because the legislator, this chairman of the committee, is relying on that person's viewpoint. And his hope is that the reliance is something that reflects what his desires would be. But he doesn't know what the desires are going to be yet.

STEVE WIEGAND: That strikes me that it would make your job harder though, because prior to having big staffs, you had 120 people to deal with. When staffs became powerful and the chairmen began relying on their staff, then now you've got to deal with this subset of people who you have to cultivate a relationship with and talk to and explain things to.

RICHARD RATCLIFF: You can't obviously do everything but what you try and do is get a sense of an issue and how it's going to strike a member of the Legislature. And if you have a staff person who is more willing to listen than they are to tell you what they're going to do, you're lucky. But you run into both kinds and I was very impressed with the bulk of the people that became staff people at that first go around in terms of people like Ken Cory who ended up being the controller and people who had successful careers and were willing to play the game of trying to understand what I'm trying to do.

STEVE WIEGAND: And who started out as staff members.

RICHARD RATCLIFF: Yeah, and it became more difficult when people represented the campaign that resulted in that legislator getting elected because then you've got another set of attitudes. And that's really why I mentioned rumors. You never really know those things but you can sense them. There are

people who can deliver an attitudinal communication as you're talking to them that are easier to deal with than those who just sit there.

STEVE WIEGAND: Did you find that as the years went by that that changed, that you got more staff with term limits and people moving up and out, you got more staff that came in with a partisan agenda themselves or their own political career playing a role in when you talked to them about specific legislation?

RICHARD RATCLIFF: Yeah. I think that my experience was that was always there in one form or to one degree or another, but it got worse. And you take the term limits and the various things that the Legislature or the people decided would make the process work better, that it changed and it got different in terms of the money issue which I assume we will get to at some point.

STEVE WIEGAND: Right.

RICHARD RATCLIFF: As the amount of money increased, and as the amount of money is controlled by the party then the process gets much, from my viewpoint, much more difficult.

STEVE WIEGAND: Well, let's talk about the money issue as long as you brought it up. As campaigns became more expensive and as term limits made legislators always looking over their shoulder to the next office they were going to, did money become... It's always been there in the process; did it become paramount in most cases as to how they were going to vote as well as ...

RICHARD RATCLIFF: I don't think it's fair to say that it was most cases, but in some cases that certainly was the case. And when I started out as a lobbyist I was 26 years old, I was the youngest person doing this as a career and I got spoiled, spoiled because people were nice to me and they were people that liked the people that I grew up with. My parents were both very supportive not of me being a lobbyist, they had never heard of being a lobbyist [chuckle] and if they had [chuckle] they wouldn't have wanted me to.

STEVE WIEGAND: It doesn't say in your high school yearbook that, "Most likely to become a lobbyist"?

RICHARD RATCLIFF: No. No. And it was a thing that happened.

STEVE WIEGAND: Well, tell us about how it happened.

RICHARD RATCLIFF: OK. Went to school like most people, went through the good classes, bad classes, teachers that were difficult, teachers that were opinionated and not, but the thing that really gave me the ability to look at this thing and analyze it were my parents. They were very broad-minded. They were very concerned, almost everything I came and talked to them about and including

the million things that they came to me to talk about. I lived in a community that was way out in the boondocks.

STEVE WIEGAND: In the Bay Area, right?

RICHARD RATCLIFF: In the Bay Area, yes, north of Richmond. And at the time, it was before or in the beginning of World War II and the military involvement in the ship building and what have you, which gave Richmond, the Richmond area its characteristics, was a thing which came all in a rush. And I lived outside of that area because I grew up in an area where there were, it was a company that my father worked for that made explosives and explosives were obviously of interest to a lot of people.

STEVE WIEGAND: Especially to young kids. [Chuckle]

RICHARD RATCLIFF: Yes. But there were no young kids. I ended up with a job loading explosives on barges. So they'd be floated out in the safe area, as determined by the authorities, they would be transferred then to a ship, and a lot of it went to South America. And in the process of growing up in that kind of an atmosphere I was dealing with people who were generally older. There were not many little kids around, or even growing kids around. There were a couple, but not many. And the result was that I was, from an early stage really, dealing with adults, my parents first of all, which everybody has that same relationship I think. But, as it turns out the people who lived in that area also worked for the same company my father worked for, and they knew my parents. And as I was dealing with them, it was not the typical relationship that kids had with neighbors.

You learn the hard way, but also the good way, that as you're dealing with somebody, no matter what the issue was, whether I mowed his lawn or whether I didn't, you had to get a sense of that, so that you can communicate on the same level. That was a naturally acquired talent I think. And then I got to schools and it was the same kind of situation except there you had the teachers that you had to deal with. Then I went to law school, and in each case, they had more and more stature, relative to my stature. And then I graduated from law school, took the bar, and was fortunate enough to pass and started looking for a real job, lobbying was nothing that I ever even considered. And you can see it in terms of what people's attitude is to a greater degree than there ought to be, with regard to politics, and those people who deal with politicians.

STEVE WIEGAND: Did you even know what a lobbyist did?

RICHARD RATCLIFF: No, no. Literally I was ignorant of the structure. I had gotten... When I got into school there were assemblymen and senators, and governors, and that was about where it stopped. And once in a while you'd run into somebody who would get off, in terms of how it really worked, but rarely. And my role was to become a lawyer. But I didn't know what that meant, even.

STEVE WIEGAND: In terms of, what kind of law you were going to practice...

RICHARD RATCLIFF: I didn't know what lawyers did. I was caught up in getting through law school, and passing the bar, and having the options. And it turned out I really didn't have an option, but it was the second person that I was interviewed by, was talking about hiring me as a lobbyist for a year.

STEVE WIEGAND: And who was that?

RICHARD RATCLIFF: That was the Irrigation District Association, public agencies that dealt with water. There were not too many of them, but hey became more complex through time as the issues of water developed.

STEVE WIEGAND: Were they looking for a lobbyist who was a lawyer, or were they just looking for a lobbyist and you happened to be...

RICHARD RATCLIFF: They were looking for a lobbyist, and being a lawyer they felt was an advantage. And I was just really fortunate, and my whole career is a tendency of progressing spoiling that I got from the participants in it.

STEVE WIEGAND: So when you came to Sacramento, it was '61?

RICHARD RATCLIFF: Yeah, that was the first time I was actively working.

STEVE WIEGAND: So what was it like? Here you're a rookie, you're not quite sure what a lobbyist... You haven't been a lawyer very long, and you're not quite sure what a lobbyist does. I don't know how much you knew about irrigation districts. [Laughter]

RICHARD RATCLIFF: Nothing. Nothing about any of it.

STEVE WIEGAND: What was the sense you got when you walked into the Capitol?

RICHARD RATCLIFF: Well, I was hired by a guy who was nearing retirement and running the Association of Water Agencies, and he was generally well regarded by people, and he didn't want to steer me, he wanted me to learn by myself. And so that it was a period of confusion in one sense, but it was a beginning of a series of being increasingly free in terms of me making a decision for my own career. Nobody really was jealous of it because they figured that you don't start out being a lobbyist because the reputation of a lobbyist is part of the reputation that politics generally has. My initial effort was to take advantage of how I grew up to start meeting people. An interesting part of it to me was the fact that I could never remember names. Well, that ended about three weeks into this whole process because you needed to be able to identify who people were.

STEVE WIEGAND: Right.

RICHARD RATCLIFF: And you needed them to recognize you hopefully. There were groups of legislators at that time. Average age was probably I would guess about 50 or so.

STEVE WIEGAND: And you're in your mid-20s at this point, right?

RICHARD RATCLIFF: Yeah. I was 26 when I started. There were some new legislators who were basically a little... Everybody was older than I but they were not as much older as the core of people who'd been going through an election. They didn't have secretaries by and large; there were a couple of exceptions to that. But there were some people like Bill Bagley had just gotten elected. Jack Knox had just gotten elected, Republicans and Democrats both. Each rather. I knew who Knox was because he represented Richmond and knew some of the people who were friends with my father. But it was really all new preparation of the ground and Bagley was a couple years older. Bob Monagan who ended up being the leader of the Republicans...

STEVE WIEGAND: Tell me a little bit about what the lobbying corps was like when you started. You said you were spoiled. Were they very helpful or...

RICHARD RATCLIFF: Well, they were older. They were probably on average about 50 and they never paid any attention. Part of that is because I was just a kid. One of the things that made the world different for me was when Jess Unruh became speaker and promoted the idea successfully of having staff people in the Assembly. The general attitude of a lot of the lobbyists was, "Well, I don't talk to staff. I deal with the member himself." And in many cases because they were financially involved in the members' election, but just generally could have been just a friend, too. But what happened was that there was an automatic opening, which I didn't realize at the time, and that was among the staff people, there were leaders like all these situations and Ken Cory was a good friend. Ken made it clear that as he talked to members about staff, that I was mentioned. Jess Unruh at that point didn't want to talk to any staff people. He's just dealing with real people. But there were times when Jess got tired of what he was doing and there was a small bar down the street here where he'd go in and have a beer.

And I happened to go to that same place for the same reason. 'Cause the whole day is just vibrating with things that you need to know. And I offered to buy a beer for the new speaker. I knew him before as chairman of the Ways and Means Committee. And he was not around here before he became speaker, he was around but it happened very quickly. And I offered to buy him a beer and he said, "No, no." He says, "You're a lobbyist." He said, "I know that and I've been dealing with lobbyists all day." And so he said no the first time. The second time when I offered he says, "Yeah, let's just have a beer." And it turned out the relationship

that developed between Mr. Unruh and I was for me a great benefit because he was getting static from lobbyists, that they wanted talk to him or to the member who had voted for him. And they didn't want to talk to any staff person.

And Jess kind of explained that in terms of that was something that I wasn't really aware of, but it came as it worked out, I would go and talk to the staff person first, as a part of what I was doing. And that gave that person a chance to know what the issue was. Ron Robie at that point worked for Carley Porter. Carley was the chairman of the Water Committee in the Assembly and thus kind of steering the governor's plan, and Ron was just very helpful, because he was learning too in the process. But because we developed a friendship, that spread among other staff people that he was dealing with, saying in effect, "You can't talk to the lobbyists but you can talk to a lobbyist who will give you some ideas about the whole thing."

STEVE WIEGAND: You mentioned that, having a beer with the Speaker Jess Unruh at that time at Ailish's and getting to know him in a more informal setting. And that was fairly common in the '60s where you had groups like Moose Milk that met at the El Mirador Hotel, and it was lunch and drinks between legislators and lobbyists but the rule as I understand it was no lobbying went on. Or you had the Derby Club at Posey's. And I'm wondering, you're a newcomer on the scene at that time, was that something that in hindsight you saw was a good relationship and helpful, or did it get to contribute to the sort of the seamy side of dealings.

RICHARD RATCLIFF: Well, it was up to you, and that's one of the rules that the lobbyists, if they're smart, play, is don't become the reason for losing a bill. But also, as I grew up, Richmond High School was a good training ground for somebody who drank. And my parents didn't drink, and I learned on my own to drink. But skipping to the Legislature, drinking was very common. It was a time when people drank hard liquor; nobody would drink wine or all these current things. And the result was that people would become inebriated. Some held it well, some didn't hold it well, and I never really thought about it much, but I was lucky enough to be able to cope with it without falling down. And one of the results of that was that there was an opportunity to talk to people when they were a little looser than what they might have been. And as a result, people did really become quite adept at holding drink, but they also were very poorly paid. Many of them had families that they couldn't support, and so they looked to people who provided money to the system to keep them afloat.

And I found out that I could do this without plying them with dollars and campaign time, but would be around and be helpful in terms of buying them a drink now and then or to having a dinner now and then. And so that kind of is something that I used as a means of helping them to know me, and that was not necessarily captured by the issues that I was working on. Now, they knew what I was doing by and large, but if I took somebody to lunch, I just had a rule of thumb where I

was not going to talk to them about what I'm working on that day, or yesterday, or tomorrow. But rather to keep that out of the picture and just use my wonderful personality [chuckle] to make them realize that it was OK, tell me what they were doing. One of my... I guess, my second boss was a guy who was amazing. He could have could have conversations with anybody, everybody, to work on the rumor thing, trying get the rumors together on an issue, and never tell people what he was doing. He never told his boss what he was doing.

STEVE WIEGAND: Who was your boss?

RICHARD RATCLIFF: Well in this case it was Jeff Cook.

STEVE WIEGAND: What was the interest or the association?

RICHARD RATCLIFF: It was Southern California Edison Company.

STEVE WIEGAND: OK.

RICHARD RATCLIFF: A good company and they were an important company and they were looking for somebody that Jeff could work with. Well Jeff didn't talk to me very much either, but by then it had gotten to the point where I knew many of his friends who I could find out more on what Jeff was doing than his own boss could because he was... He had a few personality quirks that drove some people away. And Jeff was just totally acceptable to everybody and everything. He was doing the general work of getting a lobbying understanding of issues and he had me to sit there to go through the bills and pull out the ones that I thought were of interest. And then he would review those and send them on down to Los Angeles.

Subsequently I went to work for PG&E and came back north and had a guy who was Rick Todd, was a guy who was everybody's friend, nice guy, smart guy, had worked in government with a previous controller and he was just a delight to work with. Some other people on the PG&E staff at that point were, what, not necessarily friendly relations.

It was not ugly but it was not as friendly as it could've been. But my relationship with Rick was a good one. And after that I ended up going off on my own. I got hired by... Who was next? I worked for various people. But they're all the same kind of clients. They're people who regarded legislative activity as being a negative in their business. And the major one I guess of that category was representing the California Banker's Association. But what I was able to do was just kind of work around doing what I wanted to do when I wanted to do it and things worked for me.

STEVE WIEGAND: So you're talking about being underpaid in terms of legislators and at that time in your career I assume you weren't making tons of money.

RICHARD RATCLIFF: No.

STEVE WIEGAND: And you also mentioned someone named Bill Bagley from the Bay Area, a moderate Republican. And you and Bill actually shared an apartment for a while.

RICHARD RATCLIFF: Yeah. In a sense it was about a year, year and a half, something like that. Bill did a lot of his best work at night, wandering around with whoever he found to work with. And I was doing my work in the daytime and so didn't see too much of Bill. He was a great one to room with because he paid his bills and he was a delight and a friend anyway and we rarely had issues between us. There were a few but not anything of any real significance and it was, probably in retrospect it was not a good idea to do that, although it was not totally rare either. There were other people who were paying the rent and kind of had a rumor that came in with it. And there were several legislators who just had no money, just no money at all, and so they were kind of picking up what they could where they could. And I had a relationship with my clients really from the beginning that I had to use my own judgment as to how much money to spend in terms of entertaining people.

And I found out that if... That I was more capable of doing what I thought my job was if I was there with people. There are others who would pay somebody's bar bill and the rest of it. And that was the early money that was floating around the issue, as you mentioned it, money was certainly part of it. But things really changed, I thought, when there were Fair Political Practices Commission saying lobbyists... saying in essence lobbyists couldn't spend money on legislators, more than \$10. Well you're not going to do much with somebody for \$10, even in those days. And my relationships at that point had been... Had progressed to the point where these were people that even people that I wasn't particularly friendly with were acquaintances, and we ended up dealing with each other on all kinds of different things.

STEVE WIEGAND: Let's talk about that a little bit, and you mentioned in 1974 when the Political Reform Act was passed which was Jerry Brown's kind of launching point to the governorship, the rules changed where lobbyists couldn't spend more than \$10 a month and I think Jerry Brown's reference to it was two hamburgers and a Coke. And you had a limit anyway that you spent on legislators in a month.

RICHARD RATCLIFF: Self-imposed limit.

STEVE WIEGAND: Self-imposed limit, right. So how did it when... And I recall at the time when it passed you didn't like Prop 9, the Political Reform Act. What's your take on how it changed things and was it a good idea to put that in?

RICHARD RATCLIFF: That's one set of changes that came along and there were some real problems with that I think in terms of how it got administered. The staff of the FPPC didn't really know what it was they were supposed to do other than, "Gosh don't let lobbyists get involved in this." Well, what happens if something, say is a relationship, comes from the legislator? What happens if I went out and bought something for a legislator's wife's birthday? Does that included in it? Those kinds of issues were never discussed beforehand.

STEVE WIEGAND: The FPPC, which is the Fair Political Practices Commission that was created because of that, was that because they didn't... They had no experience in campaign law or political lobbying law?

RICHARD RATCLIFF: And they really tried to get direction from the administration and Jerry Brown was a new governor and he had a tendency to act as governor as we've come to see them, but where he would say, "This is what I want" and then walk away and let other people flesh it out. And I had one particular instance. I was involved with an issue with the administration and the administration person thought it would be nice if we went to dinner. And this had just passed and I didn't really know what I could do and what I couldn't do. So I told him, I said, "Let's do this. Let's go to dinner, that's good. But let's split it down the middle." And he said, "Yeah, that's fine." And so that's what we did, we went to dinner, we talked about some of the business and mostly about mutual friends here and there, and he got up at various times and left the table and went over and sat with another table for a while. And he ordered another drink and this, that, and the other thing and first thing it dawned on me that I was sitting there and I was very comfortable with all that. But then he decided, "Well, I think I'm going to go off with these folks, so I'll see you later." And he walked out the door and the waitress came by and gave me the bill. And I said, "No, no, no, no, no. That's not the way it's going to work here. I'm going to pay half of it and you can go chase him wherever he's going for the other half." And she said, "No, I've dealt with him before and he doesn't do that." And I said, "Well, I don't do that either." And I ended up paying the bill, which was not a great huge bill but it was bigger than I wanted and I went over and talked to the beginning staff with the Fair Political Practices Committee and I told him what I'd done. I said, "Is that a violation of the Act?" Because obviously it was 'cause I ended up spending...

STEVE WIEGAND: More than \$10.

RICHARD RATCLIFF: For his dinner yeah. Two, three hamburgers maybe. [Laughter] And they said, "Well, I don't know, let me check, I'll get back to you in a week." And I came back and I said, "Did you find out how your people will regard this kind of thing?" 'Cause we had to make reports on money we spent

and on whom, and with whom we spent it. And he said, "No. I don't know." He said, "Nobody can figure out why would he get up and leave you there stuck with the bill?" And I said, "Well, that's not for me to decide." [Chuckle] I said, "That's what happened." And so they said, "No, why don't you just do this. Why don't you just separate it? Take your half and his half. You pay your half and tell him you want a check." Well, a week had gone by, or two weeks. And he wasn't interested in paying money for a dinner that he had a week ago, two weeks ago. So it's an example of one of the real problems with an issue like that because it never had any kind of definition. It got better over time and as certain people got involved, they wanted to go this way and make it harsher. Others had wanted to go, "No, no, I kind of... Let's just loosen it up a little bit because these guys have to do something." And I don't know what it's like now.

STEVE WIEGAND: Did making that change and tightening it up, where obviously in this case you're not solidifying a relationship with this guy by having this fight over who's going to pay the bill... Did the change in those relationships and that kind of dealings increase the importance or increase the role that the parties played in taking over paying for things and paying for campaigns and that sort of thing?

RICHARD RATCLIFF: If you're the person who has control of the money, it depends on what you're going to do with it. Were you going to use it as a leverage to get somebody to do what you want him to do or are you just being a good guy? And my level, self-imposed, was a lower level, such that that issue really didn't become a big problem for me.

STEVE WIEGAND: I'm wondering, though, if institutionally it made members more, legislators more dependent on the party or the caucus to finance their campaigns and less independent. They couldn't form relationships with lobbyists or with groups. Not that they were doing it for the money but just that they couldn't do the personal relationships.

RICHARD RATCLIFF: Yeah I think that it didn't necessarily halt the friendship element to it. But it was a situation where, if the legislator was not paid better, he still had the same need for money that he had to get somewhere. And here's a pile of money floating around and if that then became the lever it's... It was the thing that made lobbying and politics distasteful to many people. If, on the other hand, it was a dinner or a drink or something, it turned out that the FPPC staff would accept a report which was not specifically a leverage situation. And so it changed a little bit, legislators were soon paid more. On the money it went not from the lobbyist, because he couldn't spend more than \$10 directly, you had your boss make the contribution. And if say I was working for a corporation, they had money that they could spend on stuff like that.

STEVE WIEGAND: So in that case, did it actually really make anything cleaner or did it just simply make it more bureaucratic?

RICHARD RATCLIFF: Made it more bureaucratic and made it more complicated, because you changed the character of the relationship from one of just being a good guy to being somebody who's got a goal. And there were some legislators that were more comfortable with one side than the other. But it didn't work too well and the provisions that developed where you could pay the money to the party, to me were particularly bad, because what that meant was that the party decided what the legislator was going to do. He would get the money if he did what they told him to do. And the role of the particular parties, Republican or Democrat, were probably different than what the sources of money really had in mind. And they've really never solved that.

STEVE WIEGAND: Did that contribute to the polarization of legislatures in that you lost the moderates in both the major parties because they became so beholden to the party apparatus? It was hard to be a moderate Republican or a conservative Democrat because of that.

RICHARD RATCLIFF: I think you can make that argument. I'm not sure exactly how it works out in terms of individuals, but when you add to it reapportionment, all of a sudden it becomes really important where those lines are drawn in terms of a district. And that did more to give muscle to the parties than what they should have, I think. To me the parties have certainly legitimate needs to deal with issues, but the kind of issue shouldn't really be tied to what the legislator's doing. And the lobbyist and the legislator shouldn't take advantage of the opportunity that they have.

STEVE WIEGAND: Well how did that change the role of lobbyists as it became more partisan and more polarized and you had less personal, potential personal contact or you had to be so careful, how did that change your role in dealing with, say, a committee where it became Republicans on one side and the Democrats on the other as opposed to dealing with individual members of the committee?

RICHARD RATCLIFF: That's another area where I was kind of spoiled in the sense that I had gone beyond the crisis point on that issue and had those relationships anyway. And you could build one relationship to another and make it work generally.

STEVE WIEGAND: Still as individual members as opposed to a Democrat or...

RICHARD RATCLIFF: Yeah.

STEVE WIEGAND: A Republican.

RICHARD RATCLIFF: Yeah. And it was not that important in the legislative process, how the party thing worked out. And now the situation has really gotten to the point where you can't even talk to other members. And on the floor of the

Assembly for instance, there's, I don't know what it is now, but there was a point in which Democrats sat on one side and Republicans sat on the other. And it took a person with some sense of self to make a decision in terms of if you were going to spend time with somebody in the other party or somebody who was known as being friendly to the other party. And I began seeing situations periodically where one of my clients would go out and start hustling using money that was free because it was just a corporate money, say. And I was told that, "Don't worry about this one, I've got that one nailed down." Well, it never worked that way. Either for me or against me.

STEVE WIEGAND: Did the lobbying corps change as you got closer to the end of your career? Did the lobbying corps itself become more partisan?

RICHARD RATCLIFF: Yes.

STEVE WIEGAND: And lobbyists became known, these are Republican lobbyists and these are Democrat lobbyists?

RICHARD RATCLIFF: First of all, I was among the last of the individual practitioners of the trade. Increasingly law firms were involved because they could get the money from the client and then kind of pass it on mysteriously. That changed the lobbyist thing a lot. If you go through the nature of individuals, there are a fair number of people in the lobbying business that were sitting there potentially being able to get caught by an aggressive prosecutor. And we saw parts of that popping up in different places and in different people and different parties. And my folks told me that there's something that I had to learn, was as you're working, not necessarily in this business but in life, that if you're in a position to make the decision yes or no, you need to make it and you need to make it clearly so the other guy understands what you're doing and why. And I found that being able to say no and getting away with it was a real advantage.

STEVE WIEGAND: Did that happen much when you were acting as an independent lobbyist where you'd get two thirds of the way or three quarters of the way or actually even get a deal that was good for your client and they would say, "We don't like this" and then hire somebody else?

RICHARD RATCLIFF: Yeah, that happens on occasion but it's, I think, the fault of the lobbyist for making it clear what he is hired to do. And like, for instance, when I was representing the banks I was hired by the association working through their committee to basically protect the interests of the banks. And it got very complex and very confused but you're right, there are various ways you can do it. But if you're going to play the game of, "Oh, I'll get the author to go another route which the other people can't deal with," that's a good way to lose contacts with people around the Legislature because it's just bad taste if nothing else.

STEVE WIEGAND: Did you find yourself on the opposite end where somebody would come to you and say, "Look, we've got this lobbyist and he's not doing a very good job on this particular issue. Will you come in and fix it?"

RICHARD RATCLIFF: No.

STEVE WIEGAND: Is that because you wouldn't do it? You just wouldn't take those?

RICHARD RATCLIFF: I just had a general rule that I just wouldn't get involved in that kind of thing because my lobbying was dependent upon the relationship that I had with members of the Legislature. And if you start screwing with that then you end up in a situation where you find all of a sudden that you can't do it. And then also there's also... An issue such as that just creates bad vibes for various people.

STEVE WIEGAND: In addition to lobbying the Legislature and doing what most people think a lobbyist does, you also had to educate your clients as to not only keep them informed what's going on up here but also how the process works and what's the best way to deal with things. And I have in mind a particular case that you were talking to me about earlier having to do with a bill that came up every year that you had a client that didn't like and you had to kill that bill and you killed it every year in the Senate and you finally worked out a way to get your client to go along with the legislator involved and work out a compromise. Can you tell me a little bit about... You know what I'm talking about? Can you tell me a little bit about that?

RICHARD RATCLIFF: Yes, I do. Assemblyman Papan...

STEVE WIEGAND: Lou Papan, from...

RICHARD RATCLIFF: Was a close friend of Leo McCarthy's and when...

STEVE WIEGAND: Who was the speaker.

RICHARD RATCLIFF: Became speaker.

STEVE WIEGAND: Became speaker, yeah.

RICHARD RATCLIFF: Lou just decided there were a bunch of things he wanted to do and this is one of them. And my client, the bankers in this case, disagreed with that because what he was doing was just kind of dropping out a key part of what home loans had in terms of what happens if you don't pay it. And so we opposed it and it got to the point where we opposed it three or four times in the Assembly committee, which was a new committee really than what I had been working on for a long time at that point.

STEVE WIEGAND New in what sense? You mean new members or it had different mandate?

RICHARD RATCLIFF: Well, new members and a different situation because one is a different speaker. And as a matter of fact on this one, McCarthy came in and testified against our position, which was not too cool from my viewpoint but it worked in the Assembly but it died in the Senate. And this happened several different times. And so I talked to my client and said, "Is there any way..." 'Cause I said, "Lou Papan is a kind of stubborn person and he's never going to go away."

STEVE WIEGAND: And he was chairman of the Rules Committee and he was a pretty powerful guy in the Assembly.

RICHARD RATCLIFF: Yeah, that's a good way of putting it. And he was somebody to reckon with.

STEVE WIEGAND: Right.

RICHARD RATCLIFF: I was losing ability to go into his office to talk to him on anything else [chuckle] and all kinds of different things. And well, I just, I talked to my client I said, "Look, this is a big deal for you if you look at it in close. In the big part of the world, it's not a big deal. Is there a possibility that we can work out some kind of amendment so that I don't have to come in and do this, everything, because it's really costing me a fair amount of mileage with various people." In particular it was Papan. And so one year, I was able to kill it and I asked the chairman of the committee if it would be OK if I asked Mr. Papan if he would accept an amendment in the future rather than us all going through this routine. And he said, "That would be nice." [Chuckle] He said, "We could save a lot of time and why don't you see if you can do that?" Well, Papan was sitting there shaking his head, "No, no, no." Well, I talked to him privately and said, "Come on Lou, this doesn't make any sense for you or for us." I said, "You're not impressing anybody and we aren't either." And so he said, "OK, OK." He said, "I've got to help him draft it though." And I said, "OK, it's just we're willing to be reasonable on this thing and to lose this advantage that we've had with consumers."

STEVE WIEGAND: Or you could just keep killing the bill... You could have just kept killing the bill every year?

STEVE WIEGAND: Well, and it started out as a bill that applied to every lender in the state and everybody was opposed to it and so we amended them out and we were in. It was kind of an ugly thing for a while. And so, that's what we did. And when he got it out at the Assembly, he made clear that I had made a deal with him and I said, "I totally agree," and I said, "And if you remember, we made a deal at this point with the chairman of the committee, too." And so, I kind of touched those bases so everybody understood what was going on and we got to

the committee and the chairman said, "Well, seems to me we have heard this bill before. [Chuckle] Why don't we put it aside and see how it looks next year?" [Chuckle] Well, Papan hit the roof and he turned around and shook his finger at me and I just kind of went, "Not me." And the chairman thought it was funny. [Chuckle] And so it ended up the next year. We put the amendment in in the Assembly and it came to the Senate and it went out just... Everybody was happy.

STEVE WIEGAND: How did the dynamics work between the two houses? Did you... Were there a lot of those kind of things where it was a fait accompli in one House and the other house is where you did all your work?

RICHARD RATCLIFF: Yeah, I think that in the early years, the big guys who spent a lot of money would look at the house and the Senate as being where they could do what they wanted to do. And it really was a situation where things changed in terms of how the process worked. And I never really had a problem with it because what I was doing was something else, or working differently than what they were doing. But when money got bigger and more lucrative, then I think it made a difference; I think it made a difference.

STEVE WIEGAND: We were talking about the impact of term limits and you said in addition to the loss of institutional memory where these guys are introducing the same bill that lost and they don't understand why it's not getting through, you were talking about the staff members getting elected. And what kind of impact did that have?

RICHARD RATCLIFF: Well, it seems to me there were a whole bunch of things that happened pretty much in the same time period. Proposition 9, which limited what lobbyists could spend money on people.

STEVE WIEGAND: Right.

RICHARD RATCLIFF: The change from legalization of contributions made by, say, the people outside the legislative process beyond the lobbyists, and term limits, reapportionment, and the vigor of the drawing of lines in various districts where you could literary take a guy's district away from him and give it to somebody else if you could find a way to deal with it that made the party happy.

STEVE WIEGAND: Right.

RICHARD RATCLIFF: As those things happened, it seemed to me it was not really what I enjoyed doing much. And so I was in the process of deciding whether I should retire after forty years of enjoying thoroughly what I was doing and feeling very proud of it and the rest of it. It was time to just kind of move on because the nature of the whole process, taking all of these things together, had changed to a point where it was not... It was not a very healthy process. And so I

just decided I was going to do something else. Something else that came along was when my wife suggested that I should want to do a lot of volunteer work.

I decided to do something else, I took a couple of art courses, never having really been involved in the art business at all, and went from sketching, to drawing, to various things and then somebody suggested that I should try sculpting. Well, it turned out that sculpting was my bag. I enjoyed it thoroughly. It worked successfully.

STEVE WIEGAND: Had you ever been a doodler though?

RICHARD RATCLIFF: No, no.

STEVE WIEGAND: Or had you ever done any amateur...

RICHARD RATCLIFF: I was one of those people that if people saw my attempts at doodling and they would laugh. [Chuckle] It just didn't work. And I don't know where it came from, Steve. I just know how I got to this point. But I spent what 10, 12 years after my retirement as a sculptor. And then the foundry that I was dealing with closed down for a while. And I just began enjoying retirement life to a greater degree than I had with even the sculpting. It was just a joy.

STEVE WIEGAND: And the sculpting... Now, you specialized in... You were doing bronze, and you specialized in animals. What was it about animals that you...

RICHARD RATCLIFF: I found out that I could look at Google and get pictures in the image category and could work that out with bronze. Bronze is an odd... And sculpting is kind of an odd thing. I worked in clay and then I took the clay and made a mold of it. So that when they then took it into the foundry, the foundry took the mold and would convert that to metal. And give me back the metal with a little financial inducement. So I then took that metal and worked on it in terms of polishing it up, grinding things down, getting welds done in certain areas. And it was just a continuation of the process with different means.

STEVE WIEGAND: I have to ask you, if you had to do it over again, would you rather spend 40 years sculpting and 12 years lobbying? Or stick with the way it went?

RICHARD RATCLIFF: Well, I'm one of those people that really considers himself fortunate in that I was doing what I wanted to do at the time. If I'd tried to do the sculpting first, I'm afraid it wouldn't have gone more than a couple of months maybe. No, but it just it was a joy.

STEVE WIEGAND: Well, it's been a joy talking to you, Dick, and reminiscing and getting your perspective on things. And I want to thank you very much.

RICHARD RATCLIFF: Well, thank you, Steve. It was a privilege really because the business of politics and money, and that whole process is one in which has fallen into somewhat of disrepute. And it doesn't need to be that way. It's a function of people. There are people who are good people and people who aren't quite as good. And taking advantage of somebody in the context of it as a lobbyist, working with the people's rights in terms of our constitutional make up is not what I wanted to do.