Inventory of the Patrick Johnston Papers, 1942-2000

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Inventory of the Patrick Johnston Papers

Collection number: LP335

California State Archives
Office of the Secretary of State
Sacramento, California

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Descriptive Summary
Title: Patrick Johnston papers,
Date (inclusive): 1942-2000
Collection number: LP335
Creator: Johnston, Patrick
Extent: 38 cubic feet
Repository: California State Archives
Sacramento, California


Physical location: California State Archives
Language: English.

Restrictions
Several folders within the Savings and Loan Law Revision Files are restricted under the Public Records Act, California Government Code, sec. 6254 (d) (1,2,4) (f). Three folders within the Insurance Files are restricted under the Public Records Act, California Government Code, sec. 6254 (d) (1,2,4) (f). Several files within the Japanese Redress files are restricted under the Information Practices Act, sec. 1798.24.

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Acquisition Information
A native Californian, Johnston was born in San Francisco on September 3, 1946. The eldest of three children, he attended school in California's Bay Area, attending preparatory school at St. Joseph's College in Mountain View. He continued his studies at St. Patrick's Seminary in Menlo Park. Like many American college students of the 1960s, Patrick Johnston became intrigued with politics through the confrontation of such issues as the Vietnam War and Civil Rights while attending the Seminary. It was during this time that he became an active member of the Democratic Party. In 1966, he attended the California Democratic state convention in Sacramento and was included with a group of college students given the opportunity to meet with Governor Edmund G. "Pat" Brown. In 1968, Johnston obtained his Bachelor of Arts degree in philosophy from St. Patrick's Seminary, Menlo Park. After graduating from college, he worked as a clerk taking accident reports for the San Francisco Municipal Railway, and as a probation officer in San Francisco and Calaveras Counties. During this same period, he met and married Margaret Mary Nevin, who later became a lawyer specializing in family law. Together they raised their two children, P.J. and Christopher (Johnston Oral History, p. ii, 19-20, 22, 26; see related collections).

By the early 1970s, Johnston had become a committed member of the Democratic Central Committee in Calaveras County, where he met John Garamendi. In 1972, Johnston was selected as a delegate to the Democratic National Convention in Miami, pledged to George McGovern. The Calaveras Prospect, a local newspaper asked him to write a few articles chronicling his experience as a delegate at the convention. When he returned home from the convention, he left his job as a probation officer and went to work for the paper as a reporter covering local politics. Funds were short at the family owned paper and Johnston was laid off. Meanwhile his wife who had been commuting to Stockton to attend Humphries College had entered her last year of law school so they decided to move to Stockton. Utilizing his connections from seminary, Johnston began working for another community newspaper, the Catholic Monitor, but that too was short lived (Johnston Oral History, 26-28).

In 1974, Johnston entered electoral politics when John Garamendi asked him to be his campaign manager in his run for California State Assembly. Garmendi won the assembly seat for the 7th district and in 1976, he was elected to the California State Senate representing the 13th district. Johnston continued to work for Garamendi, serving as his chief of staff from 1975 to 1980. In 1978, Johnston ran the northern California reelection campaign for Governor Jerry Brown (Johnston Oral History, 36-41, 69: and Resumes, Patrick Johnston Papers, LP335:474).

In 1980, Patrick Johnston decided to leave his position as Garamendi's chief of staff and run for California State Assembly. Near the end of 1979, Democratic majority leader Howard Berman asked Leo McCarthy to step down from his position as Assembly Speaker. McCarthy refused and a fight for speakership ensued as both men began rallying support for the position. In 1980, Johnston was persuaded by various members of the Democratic Party who supported Leo McCarthy to run against the Democratic incumbent in his district, Carmen Perino, who was in support of Berman. Although Johnston had not thought about running for Assembly before, he decided this was a very opportune moment. He defeated Perino in the primary election (Johnston Oral History, 86-95).

The November election was tense as early results declared Johnston the winner; then, later in the night, it was announced that his opponent, Republican Adrian Fondse, had actually won the election by 67 votes. One month later, after Fondse had been sworn into office, a recount showed that Johnston had won the election by thirty-five votes. The Republicans began to raise questions about election tampering and filed a lawsuit. Johnston proceeded to obtain an election certificate from the Secretary of State naming him the winner. With a Democratic majority in the Assembly, Johnston had the upper hand in gaining the votes needed to win the seat. In January 1981, after the Assembly debated the matter of the election on the floor, Johnston was sworn into office. When 49 previously uncounted votes were found in March of the same year, the count ordered by Assembly GOP Minority Leader Carol Hallett, revealed that Johnston had won by twenty-five votes. The Republicans knew they were fighting an uphill battle and the appellate court eventually threw out their lawsuit. Two months later, more uncounted votes surfaced but they were never counted. Democratic Secretary of State, March Fong Eu, who...
referred to the election mishap as “Votergate” announced that the votes had come in too late and the election had been decided (Johnston Oral History, 98-104; and Congratulatory Correspondence, 1980-1982, Patrick Johnston Papers, LP335:777).

After this shaky start, Patrick Johnston established himself as a legislator who was willing and able to tackle controversial issues. In 1982, with the help of his legislative aide Priscilla Ouchida, he shepherded a bill that granted reparations to Japanese-Americans who were fired from their state civil service jobs during World War II. From 1987 to 1990 Johnston chaired the Assembly Finance and Insurance Committee. As a result, he was a leader in investigating the regulation of Savings and Loans Institutions in California during the time of the Lincoln Savings and Loan scandal.

Once Johnston was elected to the Senate, he became a legislative leader on issues that addressed discrimination, the environment, and public safety. In the 1990s, he became a strong advocate of preventing discrimination connected to genetic testing and authored several bills that made it illegal for companies to discriminate against people whose genetic tests indicate that they are at greater risk of diseases such as cancer and diabetes. In 1992, he authored the Delta Protection Act, SB 1866 (Stats 1992, ch. 898), a bill that confronted the encroachment of the remaining open space in the Sacramento-San Joaquin Delta. The legislation created the Delta Protection Commission, a governing body that serves to regulate land use in the delta region. His Zero Tolerance legislation, SB 966 (Stats. 1995, ch. 972) required schools to expel anyone for bringing a knife, gun, or drugs on a public school campus. He also chaired the Senate Appropriations Committee for six years, one of the most powerful committees in the state legislature.

According to the Assembly and Senate Final History books, 1981-2000, he served on the following committees, commissions, and boards:

**Standing Committees**
- Aging, 1981-1982
- Education, 1981-1990
  * Chair, 1983-1984
- Environmental Safety and Toxic Materials, 1985-1986
- Finance and Insurance, 1987-1990
  * Chair, 1987-1990
- Health, 1981-1982
- Housing and Development, 1983-1984
- Judiciary, 1983-1990
- Natural Resources, 1983-1984
- Public Employees and Retirement, 1983-1984
- Revenue and Taxation, 1989-1990
- Ways and Means, 1985-1986

**Subcommittees**
  * Chair, 1983-1984
- Health and Workers’ Insurance, 1989-1990
- Medfly Eradication, 1981-1982
  * Chair, 1981-1982
- Savings and Loan Law Regulations, 1989-1990
  * Chair, 1989-1990
- Toxic Disaster Preparedness, 1985-1986
- Toxics Budget Review, 1985-1986
- Unemployment Insurance and Disability Insurance, 1987-1988
  * Chair, 1987-1988
Workers’ Compensation, 1987-1988
* Chair, 1987-1988
#3 of Ways and Means on Resources and Parks, 1985-1986
* Chair, 1985-1986

Select Committees
Aviation, 1981-1982
Child Abuse, 1983-1984
California Youth, 1981-1984
* Chair, 1981-1984
Insurance, 1985-1986
Office of State Treasurer, 1987-1990
Small Business, 1981-84

Joint Committees
Ad Hoc Educational Sunset Review Committee, 1981-1982
* Chair, 1981-1982

Special Committees, Boards, Commissions, and Councils
Advisory Commission on Special Education, 1985-1988
Arts, 1981-1982
Commission on the Status of Women, 1983-1984
Oversight Committee on GAIN Implementation, 1989-1990
State's Economy, 1989-1990
State Executive Steering Committee on Superconducting Super Collider, 1985-1988
Tort Liability, 1989-1990

Standing Committees
Agriculture and Water Resources, 1995-1998
Appropriations, 1991-2000
* Chair, 1993-1998
Banking, Commerce, and International Trade, 1991-1992
Constitutional Amendments, 1995-1996
Elections and Reapportionment, 1993-1994
Industrial Relations, 1991-1994
* Chair, 1991-1994
Insurance, 1993-2000
Local Government, 1995-2000
Natural Resources and Wildlife, 1991-2000
Public Safety, 1999-2000
Revenue and Taxation, 1999-2000
Transportation, 1993-1996
Subcommittees
Bonded Indebtedness and Methods of Financing, 1995-1996
Fiscal Oversight, 1997-2000
* Chair, 1997-2000
* Chair, 1991-1994
Nonadmitted Insurance, 1993-1994
* Chair, 1993-1994
Offshore Oil and Gas Development, 1993-1994

Select Committees
California's Role in the World Trade Organization, 1999-2000
Capital Area Flood Protection, 1999-2000
Defense Base Closures, 1993-1994
Economic Development, 1997-2000
Genetics and Public Policy, 1995-2000
* Chair, 1995-2000
Horseracing, 1997-1998
Juvenile Justice, 1999-2000
Mobile and Manufactured Homes, 1995-1998
Planning for California’s Growth, 1993-1994
Technological Crime and the Consumer, 1997-2000
* Chair, 1997-2000
Workforce Preparation, 1995-1996
* Chair, 1995-1996

Joint Committees
Coordination of Public Policy Research, 1995-1998
Legislative Budget Committee, 1995-2000
Oversight on the State Library, 1993-1994
State's Economy, 1991-1992
Worker's Compensation, 1993-1996

Special Committees, Boards, Commissions and Councils
California Workforce Investment Board, 1999-2000
Job Training Coordinating Council, 1993-2000
Local Government Investments, 1995-1996
Sacramento-San Joaquin Delta Protection Commission, 1993-2000
Welfare Reform, 1997-1998
Wildlife Conservation Board, 1993-2000

Johnston left office in 2000 as a result of term limits.
In 2000, he earned a Master of Arts degree from California State University, Sacramento in political representation and began serving as an advisor in the California Senate Fellows Program. Johnston also continued to work as a healthcare consultant and registered lobbyist. In 2001, he began teaching at the University of California, Berkeley and became the first Legislator in Residence at the college's Institute of Governmental Studies. On March 3, 2004, Governor Arnold Schwarzenegger announced his appointment to the California Bay Delta Authority. Johnston continues to reside in Stockton (Governor Arnold Schwarzenegger Press Releases, March 3, 2004, http://www.governor.ca.gov).

Scope and Content

The bill files represent records kept by Johnston and his staff on bills that he introduced. They offer insight into Johnston's interest in improving education, health care, insurance, benefits for workers, public safety, and savings and loan associations. Johnston's bill files also indicate his efforts in protecting the environment, as he was principally concerned in guarding agricultural farmland in his district from further urbanization. In addition, the files indicate his concerns about inequality as he made legislative efforts to protect individuals from various forms of discrimination. The subject files provide documentation of Johnston's careful attention to issues of concern in his district, the state, and his political party. They also provide additional information on his interests in relation to the various committees he served on as a legislator. Key issues such as education, agriculture, and energy are prominent subjects in these files.

The Savings and Loan Law Regulation Files were created as a direct result of Johnston's service as Chairperson of the Assembly Finance and Insurance Subcommittee on Savings and Loan Law Regulations, 1989-1990. The files primarily contain information related to hearings held by the committee on the 1989 Lincoln Savings and Loan scandal, junk bond investments, and real estate speculation. Because of the hearings, Johnston authored AB 3643 of 1990; a comprehensive bill that increased regulation of state chartered savings and loan associations by restricting investments and lending, as well as, increasing civil and criminal penalties for violating Savings and Loan law. The Delta Protection Files contain a significant amount of data on the Sacramento-San Joaquin Delta. Information contained in these files enabled Johnston to author the Delta Protection Act of 1992. The files also consist of materials related to the Delta Protection Commission as they illustrate Johnston's continued involvement in delta related matters.

The Insurance Files primarily contain background material on a wide array of insurance related subjects. Throughout Johnston's career in the legislature, he served on various committees that dealt with insurance matters. The files represent Johnston's on going interest in improving insurance through legal regulation. The Japanese Redress Files largely consist of papers created by the State Personnel Board between 1942 and 1946. The papers from the State Personnel Board were in two binders, obtained by Johnston's legislative assistant, Priscilla Ouchida, and used as background material to author AB 2710 of 1982. Enactment of this legislation made California the first state to grant Japanese-Americans redress for actions taken against them during World War II. The series also contains additional files created by Ouchida and Johnston that contain information related to the series of bills on Japanese Redress authored between1982 and 1992. The correspondence files, like the subject files, reflect Johnston's attention to concerns of his district, his constituents, and his party. Collectively, the series illustrate the legislative impact Patrick Johnston had on several important California issues throughout his twenty-year career in the state legislature.

**Arrangement**


**Indexing Terms**

The following terms have been associated with these materials in the Archives' automated public access system (currently in development, April 2004).

**Subjects**

Johnston, Patrick
World War, 1939-1945 - - Reparations
Japanese Americans - - Evacuation and relocation, 1942-1945
Savings and loan association failures - - Calif.
Lincoln Savings and Loan Association
Delta Region (Calif.)
Water quality management - - California

**Related Material**

Patrick Johnston, Oral History Interview, Conducted 2002 and 2003 by Laura McCreery, Regional Oral History Office, University of California at Berkeley, for the California State Archives State Government Oral History Program, available at the California State Archives and several other repositories.

Physical Description: 353 file folders

Arrangement

Arranged chronologically by session, then by house of origin and bill number.

Scope and Content Note

Bill files created by Patrick Johnston document legislation he authored while serving as a member of the state Assembly and the Senate. An average file may contain drafts of bills, analyses by committees and state agencies, comments by constituents or other interested parties, notes by Johnston and his staff, relevant background reports or newspaper articles, correspondence in support of or opposed to legislation, veto messages, notices from the legislative counsel about related bills and other miscellaneous materials.

While the series as a whole offers the full spectrum of Johnston's legislative interests, several notable bills illustrate Johnston's legislative priorities. Throughout Johnston's career, he often built his legislation around issues of major public concern. Public school safety became an increasingly important matter during the mid 1990s. Johnston responded to growing public fear regarding school safety by authoring SB 966 (Stats. 1995, ch. 972). The law mandated that schools expel students for at least a semester as punishment for bringing any weapons on campus or selling drugs on school property. The legislation also created the ZMZ (Zero Means Zero) Corporation, a nonprofit organization formed to implement an advertising campaign geared towards kids to promote the message of Zero Tolerance of weapons and drugs. Scientific advances in genetic testing and cloning in the 1990s brought forth new public concerns about the potential of such information. Johnston authored several bills designed to protect individuals from discrimination based on genetic testing including, SB1146 (Stats. 1994, ch. 761), SB 970 (1995 not enacted), SB 1020 (Stats. 1995, ch. 695), SB 1740 (Stats. 1996, ch. 532), SB 654 (Stats. 1998, ch. 99), SB 1654 (Stats. 1998, ch. 521), SB 1800 (Stats. 1998, ch. 897), SB 1185 (Stats. 1999, ch. 311). In addition, he authored SB1344 (Stats. 1997, ch. 688), which placed a five-year moratorium on the cloning of human beings in order to weigh the social, ethical, moral, spiritual, and legal consequence of such scientific advances.

Many of the important bills authored by Johnston directly correspond with other series in the collection. For example, the bills Johnston authored on Japanese Redress which include, AB 2710 (Stats. 1982, ch. 523), AB4087 (Stats. 1988, ch.555), SB353 (1991 not enacted), and SB164 (Stats. 1999, ch. 471) can be used in conjunction with the Japanese Redress Files. Because of the information Johnston gathered in the Savings and Loan Regulation Files, he authored AB 3643 (Stats. 1990, ch. 1118). Likewise, the Delta Protection Act, SB 1866 (Stats 1992, ch. 898) was a result of his ongoing interest in preservation of the Sacramento-San Joaquin Delta, shown in the Delta Protection Files.

1985-1986 AB99-AB4125, ACR20-ACR95(29ff) LP335:41-69
1987-1988 AB82-AB4089, ACA63, ACR107, AJR21(36ff) LP335:70-105
1997-1998 SB146- SB2236, SCR11- SCR89, SB9X (42ff) LP335:283-324
1999-2000 SB43- SB2156, SCR38 (29ff) LP335:325-353
Series 2. **Subject Files, 1979-2000**

Folder LP335:354-495

Physical Description: 142 file folders

Arrangement

Arranged alphabetically by subject title.

Scope and Content Note

Includes correspondence, reports, notes, memorandums, and other materials. The subject files demonstrate the wide array of Johnston's political interests. The files reveal the kind of information he gathered on various subjects throughout his career. Specifically the files illustrate his on going interest in improving the community he served by gathering information on issues that directly affected his district. Education, health care, and energy are just a few of the issues highlighted in these files. Johnston's interest in agricultural issues is also present in the series. His substantial file on the Medfly documents the state's efforts in eradicating the Mediterranean Fruit Fly, which devastated crops in the early 1980s. A list of subject headings is available in Appendix A of the finding aid at the California State Archives.

Folder LP335:496-578

Series 3. **Savings and Loan Law Regulation Files, 1973-1990**

Physical Description: 83 files folders

Arrangement

Arranged by index and then alphabetically by subject tile.

Scope and Content Note

Includes hearing transcripts, court records, subpoenaed documents and newspaper clippings. As Chairperson of the Assembly Finance and Insurance Subcommittee on Savings and Loan Law Regulations, 1989-1990, Johnston gathered a substantial amount of material on the 1989 Lincoln Savings and Loan scandal, junk bond investments, and real estate speculation. The files document Johnston's activity on the committee and his investigation into Savings and Loan criminal activity. A list of subject headings and restricted files is available in Appendix B of the finding aid at the California State Archives.

Access Note

Due to the investigative nature of the materials in the series, several files are restricted under the Public Records Act, California Government Code, sec. 6254 (d) (1,2,4) (f).

Folder LP335:579-637


Physical Description: 59 file folders

Arrangement

Arranged alphabetically by subject title and chronologically thereafter.

Scope and Content Note

Includes reports, maps, hearing transcripts, letters, background notes, legislation, and newspaper clippings. The files represent Johnston's deep concern for the preservation of the Sacramento-San Joaquin Delta. The files contain in depth information on the Delta itself. In addition, the files contain information on California water policy in general. Several maps in the files were used to create the Primary and Secondary Zones of the delta in Johnston's 1992 legislation. The files also consist of materials related to the Delta Protection Commission. A list of subject headings is available in Appendix C of the finding aid at the California State Archives.
Series 5. Insurance Files, 1982-1996

Physical Description: 51 file folders
Arrangement
Arranged alphabetically by subject title.
Scope and Content Note
Includes letters, reports, hearing transcripts, background notes, and newspaper clippings. The Insurance Files primarily contain background material on a wide array of insurance related subjects such as fraud, and insurance insolvency. Many of the files follow the public activities of various insurance companies. The files represent Johnston's on going interest in improving insurance through laws and regulation. A list of subject headings and restricted files is available in Appendix D of the finding aid at the California State Archives.
Access Note
Three folders within the Insurance files are restricted under the Public Records Act, California Government Code, sec. 6254 (d) (1,2,4) (f).


Physical Description: 87 file folders
Arrangement
Scope and Content Note
Includes letters, photographs, memorandums, and newspaper clippings. The Japanese Redress Files primarily consist of papers created by the State Personnel Board between 1942 and 1946. The series is also comprised of files containing background information on the internment of Japanese during World War II and constituent letters regarding the passage of Johnston's AB 2710 of 1982. A list of subject headings and restricted files is available in Appendix E of the finding aid at the California State Archives.
Access Note
Several files in the series are investigative in nature and contain personal information on former state employees. Such records are restricted under the Information Practices Act, sec. 1798.24.

Series 7. Correspondence, 1980-1986

Physical Description: 13 file folders
Arrangement
Arranged alphabetically by subject title.
Scope and Content Note
The correspondence files contain letters from constituents, invitations, form letters and mass mailings. Johnston's thoughtful use of form letters and mass mailings, outlining his current legislation and positions on legislative issues, illustrate his dedication to the community he served. The series serves as an example of Johnston's ability to keep in touch with appropriate interest groups, constituents, and other elected officials. A list of subject headings is available in Appendix F of the finding aid at the California State Archives.