

FNP 3

Interviewee: Barbara Frye

Interviewer: Southern Oral History Program - Chapel Hill

Date: Unlisted

[The unidentified interviewers will be referred to as I and I2]

I: In your thirty years since you came here, what are the major changes in the legislature?

F: Night and day. When I came here it was kind of a closed legislature and we got more stories standing outside the doors and talking to sources. Now, everything is open. Florida is, you know, government in the sunshine personified and the legislators are different and they represent a population now rather than pine trees, they are younger, they are not quite as affluent. There are still plenty of them but I suppose that back maybe twenty years or thirty years ago, most of the Senators were really wealthy and lobbies had a lot more influence back then and that is all they did. The House and Senate, now they have their own staff, they are full-time and then they met once every two years and now they meet every year. They hired their staff, you know when they got here. They met sixty days and you did not see them for a year and a half and nothing went on in that time. There was no interim action at all. It is just a completely different group. The legislators are different and the staffs and the openness and it is just the reapportionment, of course, is what started all of that.

I: So there was not basically any change in the first twenty years but most of it has occurred in the last ten?

F: Most of it, yes. It is pretty well _____ not only the same time but the same people. Well, I could call the roll. I used to do it all the time. I mean I would sit there and mentally I did not ever really have to cover it, I knew exactly how everybody was going to vote every single time in the Senate. It was almost ludicrous. There was no debate really, everything was handled off before down at the Florida Hotel or some lobbyist's house and they would get in there and they would follow the roll and long before they did I would have my stories written down in the office and in tape. You know it was ready to send. On every bill of any kind of prominence because you knew exactly how everybody was going to vote every time. No floor debate. You know they did not bother, there was no point in floor debate because you never were going to influence anybody. They had proxy voting. I had seen people come in before a one-man committee with the chairman and I mean, Ed Price who is still around, in fact he is a close friend now of the governor's, came in once trying to get a chancellor for the University system and addressed the committee as Mr. Chairman in proxy and the chairman, you know, said he had a great argument but the bill died eight to one. Then you go to the eight proxies and then _____. Well, that is all gone now. There are no longer proxies. We had a Senator from Pensacola who never in

my memory, ever attended a committee meeting and yet he was probably one of the most powerful members of the Senate. I do not know what he did or where he was. I saw him in the Senate occasionally. That kind of thing now is completely different plus it was strictly a one party deal. The basic changes are the openness of everything. Everything now is done pretty well in the open and there is actual, I think, vote changing in debate which there actually are times when a person's mind is changed and there is free and open debate. Lobbyist influence is not as great, certainly, it is still there, but...

I: And more of them is that correct?

F: More lobbyists?

I: Yes.

F: Yes, but they operate differently, you know there is no longer so much of the partying and the passing out, I mean, _____ used to back up the trucks to the capital and wants to take home the goodies. Whiskey, from the dry county and that made a difference and the only way you could get whiskey was for somebody to bring it in here, lobbyists just kept rooms going all the time at the old Florida Hotel and it was kind of the hang-out for the cows and they expected it. They got no salary at all, the legislators, the latest I think is \$6 a day or something like that and so they counted on the lobbyists to pay for their rooms and their meals and everything else while they were up there.

I: Who were the most important lobbyists then, during the early days?

F: The utilities, small loan, liquor lobbyists, race tracks, that was a major thing then.

I: They were the most visible or they had the most power?

F: They seemed to have the most power and of course Associated Industries which always has had the retail, the business.

I: Did Winn-Dixie fit in with Associated Industries?

F: Yes.

I: They were the major force in that?

F: Yes, in fact, I have not kept up with it this year but the Winn-Dixie lobbyist was the president of it, either last year or this year, some time recently. It has always been a power.

I: How about the railroad?

F: Well, I cannot ever remember railroads per say. Ed Ball [head of St. Joe Paper Co. and DuPont holdings in Florida], if he is railroads then you know he had banks, railroads . . .

I: Was he, in his prime, the most powerful lobbyist?

F: Probably. He was a behind-the-scenes type you know, who never came out and this is who we always thought was. He and, as I said the small loan lobby was very powerful and very visible. Rayburn Horne, I suppose, would be hard to find his equal today. He kept a place called Nuttall Rise which was almost like the second capital as far as the Senate was concerned. This is where they hung-out and this is where they had their secret meetings and I suppose most legislation, for a long time, was drawn down there and passed down there and they came up here and called the roll. And Ed Ball was influential, he was influential in his campaigning, I mean in the election of public officials as much as in legislation, Florida Power and Light was always a strong kind of lobby, a utility lobby and I suppose depending on the issues there were years when the race track lobby was very strong and Governor Dan McCarty [Governor of Florida, 1953], I guess that was one of his contributions that he started ____ for that lobby. Anyway, he, with the help of the press, the press has been a really strong influence in Florida, I am not really familiar with other states except a little bit of Georgia but from what I hear, the Florida press has just got to be, and I am not just talking about the capitol press, but the newspapers of Florida have got to be way out in front of anywhere else that I can determine.

I: I think you are right.

F: Standing behind their guys. I mean the power that they have exercised, and of course, they did not have any back in the old days because heck these guys all came from little towns and there were not any newspapers, you know and one of the Senate presidents used to say he did not care what *The Tampa Tribune* wrote about him because they only had to send five papers over there and he got up early and bought them every day and I believe this. This was true and they would actually use some of these little guys back in the so-called pork chop days with rural domination could use the articles of the big city press to get reelected because you know they could say, see big newspapers are against me and all of that but the press kept digging and backing up and there were a few courageous legislators and then the court and the combination of those three pretty well put Florida on the road. I think being, looks to me from what I can hear and see, you see, I have got a lot of newsman down here from our other bureaus and they were just amazed at Florida and the legislature and had some guys down here from Mississippi and South Carolina, they do not think you can cover committee meetings. They cannot believe that everything is so open. We just cannot have a closed meeting. It is hard really. We had those jokes for a while that

guys would actually carry little placards with them to lunch. If three legislators were having lunch, one guy had a printed little sign saying press is welcome, this is an open meeting. They were so touchy about government and the Sunshine Law.

I: It changed their attitude?

F: To some extent, I mean they took a while. They have accepted it though. I think they pretty well know now.

I: Do you think it resulted in responsive legislation as far as being responsive to what you would consider to be the genuine needs of people?

F: Well, they are more responsive to what the press in their area is. Now I do not suppose you could say that all newspapers are anointed and sitting on the right hand of God, the father. I am sure there may be some who do things that I would not consider good but it has gotten to the point where, what people have told me, legislators that are really concerned and upset, that they know friends of theirs have voted against things that they believe in because there are newspapers covering that. This can react both ways but by and large it has seemed to give us better laws, better legislation. From what I understand it had some real landmark _____, consumerism, the Sunshine Law, our public records law, the public school financing. I do not know, it seems to me that the Baker Act and a lot of prison reform.

I: What was that, the Baker Act?

F: Yes, well this is our mental health law that is supposed to be a landmark type thing, sort of a bill of rights for the retarded and the insane but on the other hand there are some papers that are against some of the environmental things and so their legislators tend to go that way so it depends on who is saying who is good. I mean you know, if they vote my way I think they are voting a good vote but you might not think so. But the press is very good in the legislature. The legislature and the cabinet, all of them, are very responsive. I support the cabinet system. I think it is a good system, collectively. There are a lot of people in the press that are opposed to it. But having watched it for all these years and watched how the cabinet, what it does during ties when we have a sorry governor, I just sort of feel like it is a pretty good system for the long haul. It impedes a good governor sometimes but it seems to me that very few governors have over a long period or their full term not been able to get what they wanted out of the cabinet so it has got some drawbacks but then everything does except for dictatorships, your most efficient form of government. Sometimes efficiency is not exactly what you need.

I: So the cabinet system, apparently is unique?

- F: Yes, it seems to be in this, in the fact that you have seven men, the votes pretty well count the same.
- I: Has the nature of the state _____ press corps changed drastically in the last thirty years, I know you have got more but...
- F: Well, mostly in numbers. It has to the extent that there is more investigative work going on if that is what you mean although we had some of that many years ago. We had a guy who was up here for *The [Miami] Herald*. They did stuff, that if it were done today we would have people impeached but at that time the legislature did not react to any of it.
- I: Is that when Shera was here?
- F: No, that was long before him. John Killgore was the guy. The press at that time was the only one doing anything, there was nobody to take it up for us. There was no legislator willing to jump on it like you have now. Now if you write an article, all some newspaper man has to do is call up Marshall Harris or somebody and say what are you thinking and they will say we are investigating. I mean, it is that kind of reaction that you did not have in those days. Nobody wanted to investigate anybody, nobody felt there was anything wrong is the thing in all of this stuff it was sort of taken for granted that state employees, you know, did a little work on the side for their bosses or they are maybe the chauffeur for the man's wife, put the kids through school. We would write about it but nobody cared. You know, so what. Now, you could get impeached for that. The whole thing has completely changed, the standards. I think the people have come to expect more from their government officials and I think the press has certainly played a part in it.
- I: Is there a different type of person running for office?
- F: Yes, by and large. We certainly have a younger bunch and you do not have as many lawyers. It used to be that lawyers just dominated the entire legislature but they do not anymore. There are some and they tend to maybe be your leaders but they are not in complete domination by lawyers, that we used to have and of course _____ of Republicans has helped. We have added to a two-party system and that is one thing I feel like with the cabinet and although it is all Democrats, they are all different kinds of people and one will blow the whistle on the other and you are not going to find seven people sweeping something under the rug because they are all independent, they are elected independent and if one guy is there doing something or is for something and he can get _____ to go with him, even if he sells his point, at least other guys are going to scream and it is going to come out. It is an oath and I guess the cabinet system has one thing that helps and although sometimes they drive me crazy and I wish they would

abolish it, it is a public forum where business is conducted and anybody can go up. Sometimes they meet all day. Have you ever been to one?

I: No.

F: Maybe you ought to go tomorrow and watch it operate. Anybody could go up and get on the agenda and get up and scream about something and has that aspect but of course way up here the little guy cannot come up here so you sometimes get the special interests groups doing most of the yelling which is what you have in the legislature too.

I: I have a question to understand one of the criticisms of cabinets is the fact that it diffuses accountability?

F: Yes, well that is a criticism and it is a legitimate one. I do not know.

I: ____.

F: Yes, it does. There is no doubt about the fact that it is a collective thing that you do not have one person accountable for all the actions and that is a handicap to some extent but so is, what about a legislature? I mean, I do not know on that argument. I say I have heard it so many times and I say over the years I have held that it had more things going for it than those arguments against it because most of the decisions that they made together have worked out. Of course, they had some bad ones and it worked out to be pretty good decisions, the only thing they are investigating these guys for now are have been Floyd Christian [Superintendent of Public Instruction, 1965-1969, Commissioner of Education, 1969-1974] for what he did as Education Commissioner not what he did as a member of the cabinet. I have never worked under any other system so I guess, I probably may be biased on it, but I just always felt that by and large that I would not oppose the cabinet system. I would oppose some of the people on it but I just think that it has more advantages than it has disadvantages. At the time when you have, really when you have a bad governor. Of course, when you have got a bad governor, you impeach him and get rid of him but they do not do it. We have had some really bad governors and they do not do anything, they have never even come close to impeachment. I think it is almost impossible to get something like that going in the Florida legislature. It just seems to me that this has helped in our system that we have had a fairly decent government and I think that the cabinet has contributed to it. I do not know what Floyd Perkins or even Claude Kirk [Governor of Florida, 1967-1971] and some of them might have done if they did not elect somebody to stop, if they were just all-powerful what might have happened. In Florida it would have taken us an awful long time to overcome.

I: But the legislature is much more of a check now than it was then?

- F: Oh, yes, that is true, it is and it is getting more and more to the point where some administrators are really screaming about it. The legislature has really become, in the last few years accountable. I mean such things as taking over the auditor general. We have a system where you have the state auditor, which we call auditor general, which was always a part of the executive branch of government and they went around doing audits and what kind of an audit are you going to do of the Governor or the Comptroller if they can stop you at any time and the legislature in a reaction to Claude Kirk, a bad Governor, I guess took it over. Suddenly, it was almost a coup, they just came up with a bill and all of a sudden one day the auditor general was part of the legislature and now he audits the Governor, he audits everybody and he is a straight down the line, independent officer and he has exposed all sorts of things. Everything, which before the audits were that we hardly ever read them, you know there was nothing, and they are now, not only _____ for violations but for performance audits. That in itself has been a big change with help from the legislature and then the legislature goes back and checks, or if there is pointed up something, that was the last you ever heard of it except one day some statesman is in the paper. But now the latest has a regular auditing committee that goes back and checks on things. Of course this was the committee that did all of the preliminary investigating before they turned the Floyd Christian matter into a grand jury. I am sure you are familiar with all of that. The legislature has become very much a matter of checks.
- I: Is that the major defense of the cabinet system during the past that it has served as a check?
- F: Well, that and the fact that it is an open type thing. I do not know, it just seems to me that you can keep up more with what is going on in government. I mean we go there every other Tuesday, it used to be every Tuesday, and these guys sit there and make these decisions in the open.
- I: In fact you are saying that what he does is make executive decisions open in the legislature?
- F: And you know it and I know what they are doing. I do not know whether I will be able to keep up with what is going on if somebody was in this little office deciding what to do about fourteen acres of land down in some county or not. A lot of it is minutia. An awful lot of stuff they do is just you wonder and it just does not seem to be justified but on the big things there are a bunch of guys sitting there making collective decisions with everybody looking in, T.V., radio, anybody can go and hear it and see it in the public. It seems to be almost a little bit more like the town hall type thing and maybe we are getting too big for that sort of thing. Maybe it does diffuse the responsibility but it also sheds an awful lot of light on it that you would not know about a lot of these things without somebody taking the

trouble to dig into it. Here it is thrown at us and whether you want to know it or not, it is there and it just seems like it is an additional way to find out what is going on in your government, which is getting so big that nobody has the ability or the facilities to keep up with it.

I: So you say that that is more important than the idea of a check by the fact that it opens up decision making and brings it out into the open from the executive branch?

F: Yes. Of course the aides meet and this is where a lot of your decisions making is done.

I: How open is the Governor's office under the Sunshine Law. I mean if a group of Senators go in to meet with the Governor, you cannot go in right?

F: Not unless you ask for and receive permission and Governor Askew [Reubin Askew, Governor of Florida, 1971-1979], he is not, I do not know how you express it but he does not believe in having the world in or the press in everything he does. I do not believe you can call it a fanatic on Sunshine like Shevin [Robert L. Shevin, Attorney General, 1970-1978], our Attorney General or Secretary of State. You know the Secretary of State has no door on his office. You just wander in and out and sit down and do as you please. The Governor, he felt like he has the right and the duty to conduct business away from the atmosphere of the press and the T.V., particularly the T.V. He has referred to it at times as a circus. He feels that it is part of his responsibility, things that are his, that are his executive decision to do it and talk to all sides and do it in confidence and he has been pretty strict about this. He has turned us down on things and made a lot of people mad with things that we felt like we should be in on and he would not let us. So he is kind of in the middle. He adheres to the letter of the law and he is a supporter of the Sunshine Law but not to the extent that the press would like, that some other state officials are.

I: Can you think of a situation where it might be too open and makes reporting difficult? Too many things to cover?

F: Too many things to cover, yes it does. There are times when I have wished that we could get rid of the Sunshine Law but not really but there are. There is just so much that it is just impossible to get around to all of it but we do. We do get to the cabinet and there are things that you do that are part of it regardless of what else happens. There has never been a meeting of the cabinet that has gone uncovered in my lifetime here.

I: You mean by everybody?

F: By at least the wires [Associated Press, United Press International wire services].

I: By the wires?

F: Yes, and sometimes there are twenty-five press there, sometimes there are six. There are always at least three or four, depends on what else is going on at the time.

I: Are not the decisions pretty well made in advance?

F: No, I do not think they are. See you go to the aides' meetings too and this is where you get all the background. They are on Thursdays of the week the cabinet does not meet and this is where you get the presentations and the background and the discussions of the aides and of course the aides brief their cabinet guys and then they come and they do an awful lot. I am sure they have an idea when they get in there of what they are going to do but they will not meet themselves for any kind of a rehearsal, which is what used to be done. Everybody, I mean the whole government operated by dress rehearsal that way. _____ what they did, they met the night before or an hour before and just came in and went through the motions.

I: You mean the cabinet did that as well?

F: I think the cabinet did too.

I: Before the Sunshine law?

F: Yes, and they do not do that now.

I: Was all the government by dress rehearsal in both the executive and the legislative branches?

F: Yes pretty much so.

I: And what happened in the transition period, after the Sunshine Law was passed? I am sure there were attempts made to evade it?

F: Yes, and the biggest thing, of course, that happened was that the Supreme Court, there were several cases that went to the court. There was some local enforcement of it, local school boards brought cases by the press, like the *Fort Lauderdale News*, and the St. Pete press that had been kept out of a meeting. These decisions on appeal to the state Supreme Court just came out with a broad, much broader interpretation and the narrower of what you could get away with than even our fondest dream. I am sure it probably brought in a lot of the legislators than it would be of what it actually covered. Then the attorney general, Bob Shevin, who was the strong Sunshine man, all of his opinions have made it interpreted narrower and narrower until it is just almost where you can

hardly pick up a telephone and call another guy and talk business, and you might be subject to being hauled off for it. There were attempts to evade it, there were a few abortive moves to try to get rid of it, in the legislature but they never got anywhere. Now they are pretty well recognized. They might try.

I: ____?

F: Well, there are probably some but they know that if they get caught they are in trouble and they also know that they can always get somebody to blow the whistle on it.

I: What would happen if you or the press would hear or suspect that a goodly number of members of the legislative committee were meeting in a hotel room up near the ____?

F: We would go up there.

I: But if you heard tomorrow that this happened, that it went through to committee with very little debate, the motion came up and it got voted on?

F: We would find out, talk to enough people to find out if it had met and write stories about it in the editorials and those guys would be in trouble.

I: In other words, it is a watchdog function of the press that prevents some of these things?

F: Yes.

I: Getting back to the cabinet meetings, you said the aides meet on Thursdays and that is covered by the press?

F: Yes.

I: Stories are written on the aides' meeting is that right?

F: Yes.

I: Stuff that is going to come up before next Tuesday's cabinet meeting?

F: Yes.

I: So in effect, that allows some time for feedback to come back also from the press?

F: Yes, and all of the agendas. They have a rule that the agendas have to be out at a certain time and you can add an item at the last minute by a two-thirds vote

of the cabinet, which is often opposed. So they get publicly aired what is about to come out. They have rules that the people affected have to be given certain notice particularly on counties and cities and things like that on land matters. This seems to be the biggest thing though, state land and ____ matters. This is where you have a lot of area for doing things that could be misconstrued or could be wrong if not kept out in the open. We had a lot of submerged land, a lot of valuable dredge and fill material that can be brought up. You know, of course, all of Miami Beach was once under water so you know we can dredge up a whole other world if you do not know what is going on.

I: What were the basic arguments against the passage of the law?

F: The Sunshine Law?

I: Yes, violate confidentiality or what?

F: The main thing that they deal in very sensitive personnel matters. It could do great harm to people that they would not get any people looking for jobs, for big jobs. Everybody back home knew they were applying for them. We even have a situation where they have to have all interviews on applicants for college president open and I think they only have got about one the last time they went around because you know, some people, the president of Harvard might not want anybody to know he is applying to be president at the University of Florida and this was the basis. Land ____ that you could ____ in the sensitive area of thinking you are going to buy something or put something on a public property that would leave the speculators [to] run up the prices. Those seem to be the two areas.

I: Did any of those things actually happen when the law was passed?

F: Well, there has not been any proof of it. I mean there has been a problem. The Board of Regents says it is hurting them on the university presidents that there are people that they were interested in who would not submit to public interview. I mean they have to come down here and impress _____. What they ask them, what they say, all of that is done in the open which I do not doubt if there is another state or country that I ever heard of that interviews its applicants for jobs as high as a university president that does it in the open room where anybody can come in and listen. Have you ever heard of that?

I: No.

F: So, _____. But the minute you let them have these little closed things you do not know what they are doing trouble and they might be discussing anything. There is no closed meeting of anything. The only thing the legislature are permitted to be closed is the Senate can have executive sessions while it is considering

appointments or removals by the Governor but they have not had one since they opened everything in the Senate. Since Pope [Verle A. Pope, President of the State Senate, 1967] was president, they have not had a single executive session of the Senate. They used to have two a day. We never knew. We always suspected that is when we finally _____ that is how they got open. They quit holding all of these things since the press got in there one day and refused to leave and they had to get the Sergeant At Arms to try to remove us and it was a Donney Brook when they opened.

I: That was after the Sunshine Law though, right?

F: Yes, but they still had the right to hold executive sessions but who knows, we had sources that told us that they were not discussing suspensions. They were discussing legislation or all kinds of things so the minute you allow a closed meeting for something you do not know what they may be discussing. But we have not had any proven instances that I know of where there has been any great harm done except as I say what the Board of Regents claim that they have been handicapped in their selection for a president. But they always seem to come up with one and actually I think they got a better caliber man because if they would have done one under the system, I think they got a better man than they have many times under the old system. It appears that way.

I: Presumably, the man who is willing to be in the view of the public has nothing to hide would you not say? Because presumably, it would serve as a screening process. If you are willing to be interviewed in public you obviously have nothing to hide.

F: Plus if you know who is being interviewed and it is in the paper and you know something about him, if it is bad you might have a chance to tell somebody about him. By the same token, I can see where there would be guys who would feel that would be jeopardizing their position if it became known that they were applying to being the president.

I: Yes, but there is no way to get around that. When Gene Patterson [Eugene Patterson, Publisher, *St. Petersburg Times*] said the way they did it in St. Petersburg they had to come to the school board from the new school superintendent they were concerned about it and went to the lawyer of the newspaper and he suggested a device that why does not the board just nominate which one to interview and the man back home can say I have been asked to come, and it is an honor, and apply.

F: Yes, now see there are ways that you could get around it.

I: Or you could travel outside and go interview them.

- F: Yes, and plus the fact that if you have got to meet with [a] mediocre president and you do not want him anyway and if you have got a top, bright man, the other university I would think, would only _____ because they are going try to meet the offer, they will want to keep him. So it is one of those arguments that like most of the things they do not turn out to be as bad.
- I: I have a question of a legal matters and litigation, have you ever raised that one?
- F: They have raised it and I think they still have a way that they can do that. I am not sure, I have not looked at that law lately but it seems to me that the court has permitted some kind of discussions that say in litigation matters, but I am not sure but there may be a provision.
- I: I mean Florida is so far ahead of any place _____ that is the whole thing.
- F: It really is and it is just if you glimpse through it, it is just hard to believe that you operated under the old system.
- I: How do you assess Governor Askew and how do you assess his whole career because you have seen from the time he got here?
- F: He has grown a lot. He started out in the House, he has always been kind of a loner and a man of unquestioned honesty. He did not come into being as, he is not an egg head and he is not particularly and has never been considered a great intellectual but he has always been well motivated and he has always been a little, I suppose, Populist and people did not really know. Nobody paid a whole lot of attention to him and then he got over in the Senate and he still was not, you know really. He was the kind of guy that if you had a hard job or something that took a lot of work and a lot of time, he was the guy that got it so, consequently he got a lot of the drudgery jobs that do not make headlines. He never was socially inclined in any way. He did not mess with the lobbyists or with parties and did not drink and he had always been the kind of guy which you might not have noticed was in there because you know he was not a big news source as far as the press was concerned. Yet he was the person that you know always respected his vote and admired what he was doing. Particularly, he was, you know, from Pensacola where it was not much of an area for sending good people. In fact that was the area where we had the Senator who I never saw attend a committee meeting, his predecessor. In fact, Reubin Askew beat him. He [Askew] just was not really one of the guys that stood above the crowd in the legislature. As a leader he was always one that could be counted to be with the good guys and so of course when he said he was going to run for Governor, everybody said oh, sure. None of us, nobody could believe it. In fact, I went to him and tried to talk him out of running because I hated to see him run. He was a good man and I thought he was doing a good job in the legislature and I do not

think he had a prayer and I liked him and I just told him, I said you are a fool. You cannot win and this was everybody's opinion except his. They tell the joke about "Reubin who" and of course that is how he got tied up to Tom Adams [Lieutenant Governor, 1971-1975], somebody to give him some name identity. Since he has been governor he has shown, I think depth and leadership and guts that I never realized he had. I guess I should have but the opportunity had not been to show it.

I: He never achieved a major leadership position in the legislature?

F: Not really.

I: He was pro tem [Senate President pro tempore], was he not?

F: Yes, but that is not a major leadership. You know that was something that they gave to, well they would have some of those nothingest members you have ever had in the House have been pro tem. They give it to them maybe as a job you give them because they gave you something maybe they had two or three votes or something and it helped you but for somebody you could count on. But now, Mallory [Mallory E. Horne, Speaker of the House, 1962; President of State Senate, 1972] has made Louie [Louis A. de la Parte, Jr., President of State Senate, 1974] a real figure in it because of course Louie was to begin with and then Mallory was so busy running. He was going to retire and he was busy running for the Senate so Louie probably has more responsibility, more really input into the running of the Senate than any other pro tem has ever had. It has really just been a nothing job. Reubin was like chairman of appropriations. He had the drudgery, the important jobs, that were hard work and dull. The ones that you know, you give to somebody that is willing to work eighteen hours a day and sit there while everybody else is out partying. Judicial reform, and very important jobs, but they were never the kinds of jobs that put him into the leadership with this little clique. He was not a member of the leadership clique and never wanted to be because the clique of the leadership in the Senate, up until the last few years, has been the bad guys to a certain extent. He just was not one of the guys that would trade and trade his vote and this kind of thing so he just never was a leader in the legislature.

[End of side A1]

F: He [Askew] knew he could do it but nobody else did and he has just noticeably, I think, matured in the office to the point where people who were saying "Reubin who" a few years ago are now seriously talking about him for president. I think, of course, in this day and age you tend to think that anybody if he is honest, you do not care anything else about him, you will take him. But I think Reubin has got more than that, than integrity and I think he has shown a great deal of ability

through some tough spots. He stood his ground and he has lost some and he has won some and he has been able to win some that people thought he would lose and he has taken some unpopular stands and some are still unpopular and others he has made them popular issues. He is an outstanding man.

I: How would you estimate he would do against George Wallace [Governor of Alabama; Independent Party candidate for U.S. Presidency, 1968] in a head to head in the primary in Florida?

F: Well, I think it would be nip and tuck, knowing Florida and the issues and the fact that Wallace has a great deal of sympathy. Plus Wallace has come around to the extent that he and Askew are for a lot of the same things. Certainly, they are both Populists. Florida is still a conservative state, there is no getting around that and all you have to do you know is, say Reubin was going to support George McGovern [U.S. Senator, Democratic candidate for U.S. Presidency, 1972] and that is still a dirty word in Florida to some extent, to the people that get out and vote. Florida has, with all of its good things, it has a lousy voting record. The percentage of people that bother to go to the polls is, I think, just absolutely appalling. I do not know what the answer to that is but it is not just disillusionment of today, it has always been that way. We get forty percent out, that is a good day.

I: For general election?

F: For a lot of it. I do not know what the latest was the last time. There are records on that and they have had all kinds of drives. They may have picked it up some but there have been, it is really just bad when you think of what it should be and what the state has all going for it. The issue is the importance of all this and the interest that you think that the public must have in issues if the newspapers reflect interest. Maybe they do not, but you would not figure that the newspapers would devote as much space as they do to government if the people were not interested in it.

I: Television includes ____ House and the Senate ____?

F: Yes.

I: How long has that been going on?

F: I think this is just the second year for the kind of coverage that we are getting. They used to do a little bit.

I: Has that had any effect?

F: Yes, I think so. I think it is, I do not know how you would assess it except from

my own standpoint. I mean I think it is good, I think it is well done, I think it is important, I think it has had an effect on the legislator. Now what kind of impact it has had on the masses, I doubt if they even look at it.

I: What has been the impact on the legislature?

F: The impact on the legislators is that they are more careful about the stands that they take. They do not go to a committee meeting without having done their homework. They pretty well know what they are talking about and they do not as a rule and they are careful. They have got to be willing to stand behind what they say. It is just like saying it to a newspaper and there they are and they are not going to make some statement that they cannot stand behind. Of course, it also has probably made some of them make a campaign speech or two here and there. I think that overall, the impact has been good only from the standpoint of the legislators preparing themselves.

I: Has it resulted in more grandstanding or more decorum?

F: I think it has been more decorum. Much more decorum by rules and they are not louding out at their lunch or reading newspapers which they used to do. Sometimes a House session is like a circus, you could not keep up. I often wonder what people in the gallery must have thought.

I: Now you cannot read newspapers anymore?

F: No, you cannot read newspapers on the floor and you cannot eat.

I: Those are rules? Rules prohibit that, Barbara?

F: The rule of the speaker, now whether it is actually in the rule book but the speaker and the president of the Senate got up and actually made those rules.

I: Is attendance better?

F: I do not think we have ever had a really bad attendance program, I mean absenteeism.

I: The Chamber and the committees?

F: Yes, well it is certainly better than it used to be but I do not think that that is because of educational T.V.

I: No, I mean just general.

F: You know they have got rules. You cannot be absent without an excuse like

they are in school. You have to get an excuse from the speaker.

I: An impression I have and I think it would ____ is that this is really a very business-like legislature.

I2: Just compared to what it used to be it is almost like 180 degrees different.

F: Oh my yes.

I: Like what most of the other legislatures are still like.

F: Well, they caught one just the other day one of the legislators from St. Petersburg wrote and asked to be absent because he had a cold for two days and the speaker excused him and he turned up doing boat races down in the state and St. Petersburg really went to war on that one.

I: What did they do about it?

F: I do not know what has happened, this was just last week and I do not know, Jim Robinson [A.S. "Jim" Robinson, House of Representatives, Pinellas District, 1969-1974] I do not know what the penalty is if, you know. I do not know if the speaker reprimanded him or what you do but it is just a thing that you know, most legislators do not want that to happen because it does not look good. I suppose the penalty is that they got all of that bad publicity back home. I do not know if there is anything really that the speaker could do.

I: It probably appears in the journal though, does it not?

F: Oh, yes. I am sure. You know, when it appeared in the paper it is much worse. They have pretty strict rules, both houses about all sorts of things. If they miss more than one or two committee meetings without excused absences they get thrown off the committee and there are all kinds of things. Sometimes you wonder if they are not operating it a little bit like a school, which I guess they have to some extent because they used to say in the old days, hell they just did not even bother to come and nobody cared. They sent their proxy along but there is no proxy going on around at all. They can pair with excused absence but not in committees.

I: But during the session as a general rule the full membership is usually here?

F: Yes.

I: How is the attendance at the interim committee meetings?

F: That is pretty good too for the beginning of them. They drop off some times

during the end of the week but that is another thing where they are supposed to have to I think be excused if they do not come. I tried to do a story one night and the last time I had heard that there was some ____ and that was the only one I found. There was only one committee that could not meet for lack of a quorum during the entire four days of meetings. I thought being that was just a few days, you know the last one right before the legislature, would not only be busy but just would not have come. But they keep the records and it was only this one that could not meet.

I: Are committee votes recorded?

F: Yes.

I: All votes?

F: Yes, all are recorded and turned in.

I: Are votes recorded on the committee as a whole on the floor?

F: They do that so seldom. I cannot remember when.

I: No Governor's order or committee orders?

F: Not much, occasionally they do it but it is not common.

I: ____ on third reading?

F: No, second reading while they can still amend. You cannot amend on third reading. By the time it gets to third reading, you know pretty well.

I: What is required for a roll call vote?

F: You mean the quorum?

I: No, ____ an amendment ____?

F: Just the majority.

I: To call for a roll call?

F: Oh, showing a sign of hands.

I: And the House ____?

F: Yes.

- I2: The majority of those present can adopt an amendment on second reading?
- F: Yes, it takes quite the unanimous vote on third. If the speaker is not sure what the vote is, of course he can just say we have to call the roll.
- I: Who controls educational television? Does that come under the Commissioner of Education?
- F: Yes, and the cabinet. You know the cabinet system is the Board of Education among other things.
- I: Has this caused any concern at all by the press, the fact that we, in effect, have a state television?
- F: I have not heard any if there has been. Mostly the press that I have heard express an opinion think it is pretty good. But I have not heard a whole lot about it one way or the other but certainly I have not heard any opposition.
- I: Is that run by people with professional news backgrounds especially the legislative report portion?
- F: Well, you know you do not know who they are until they show up here and I do not know. They have a guy who is in charge of it that has some professional but mostly academic but in journalism. Then they hire these cameramen and reporters who I do not really know where they come from and I do not know where half the guys that work for commercial television in Tallahassee come from. They run some of these young ones in and out of here, you know they are students and they are this, that and the other and you are never sure.
- I: The office of Lieutenant Governor, am I correct, that was created by this new Constitution?
- F: Yes, 1968.
- I: And it gave it no power, just somebody to sit there?
- F: No duty.
- I: Do you know of any other state like that ____?
- F: No.
- I2: Otherwise you are assigning an officer to the Senate who has got some Constitutional function.
- I: As minimally presides they usually have some other minimal responsibility to the

Senate and frequently appoints committees, at least for the tie-breaking votes.

F: In some states, yes.

I: And in some states, it is a very powerful office.

F: Of course in Georgia, he is an independent. They have got a terrible situation. Have you been to that yet?

I: Yes, we have been to that.

F: That must be a mess, last term. Although ours has worked out that way. It is incredible, I mean you know.

I: It is a function of personality.

F: Yes.

I: I mean you have got no duties.

F: The whole purpose, the only purpose of having this Lieutenant Governor office was so that we would have some continuity if something happened to the elected Governor from a state-wide elected official. Well, we would not have any continuity in government if Reubin Askew died. Adams is about as far the other way, you know, they are just completely different people. Because he was picked to balance the ticket more than anything.

I: Any move or talk at all about eliminating the office?

F: Yes, they keep trying. I just did a story on it several weeks ago. Another move will be made in the next Constitutional convention, in 1978.

I: Oh, that is written into the Constitution that they have one every ten years. Did you know of that?

I2: No, every ten years?

F: Yes.

I: Then the constitutional convention has what authority?

F: With whatever they come up with part of it will go to the people.

I: Whatever they do has to be ratified?

F: Yes, but the last one had to be the legislature and then the people. This one

goes directly to the people which is, I think, a very strong . . .

I: Do legislators serve as delegates?

F: Yes, I think that some of them are legislators but there are also laypeople.

I: Is the Sunshine Law written into the Constitution?

F: No, it is a statute. So is the Public Records Law.

I: One of the theories we sort of developed, Barbara, is that we have got everything sort of coming together at one time with reapportionment in the state that had the most malapportioned legislature anywhere. We have had an aggressive press corps that had already in effect created a climate and awareness of a need for change and then we have the Sunshine Law. Well that came in afterwards, but all of that coming in simultaneously. You had a state in which you had so many people who were not natives of the state so it is not bogged down by traditions or the fact that Joey did something this way is not necessarily any reason in continuing to do it that. Plus, you had people who came from places where things were done differently and they were aware of it.

F: Yes, the two party system was a part of that.

I: And then you had the two party system simultaneously. Plus the large urban population but was it this creation of a climate that changed the public awareness that it was going to be different, attract people with real ability to come in? When the change came you had a fairly large number of people with way above average state legislator ability who wanted change and were there providing leadership?

F: Well, we had a nucleus in the legislature, a minority that had wanted and been screaming for this change all of the time. This was a big thing. All of a sudden, then we had an urban legislature and we already had the leadership really there ready to go.

I: Who were the leaders in that?

F: We had Pope [Verle A. Pope, President of the State Senate, 1967] in the Senate. I cannot remember who all of them were, he was one of the outstanding ones and we had in the House, Ralph Turlington [Speaker of the House, 1967] who is now Education Commissioner. They come and go so fast, I do not know whether I remember all of them or not. Jack Matthews [John E. Matthews, Jr., President of State Senate, 1969, 1970] who is now a lobbyist and who Reubin defeated for Governor, could have made an outstanding Governor if Reubin had not have beaten both of them. They had one election where we had several

people well qualified but there was just a nucleus that was sitting there ready to do something and they were the ones that eventually pushed through reapportionment because we still have real strong resistance even though the courts said do it. There were some real traumatic things going on in the Senate and there was some real trading and changing and dealing and wheeling and everything else before they ever got anything passed. Of course, LeRoy Collins [Governor of Florida, 1955-1961] was a factor in some of this change. We had a good man as Governor through some of the transition and from the nucleus of guys who have been in the minority all of their legislative careers have been the voices in the wilderness who were the things that the press could tie to. I mean they would say the things we could not say and they could say them. It did not make any difference and nobody paid any attention to them but we could print them and the public could find out about them. These guys were ready to move in and give some leadership when the new legislature was ready to move. Although they had some people with ability, I mean still you cannot walk into a legislature, I do not care who you are and be a leader. So we did have some small nucleus of minority people that were ready and that came back in. They were not swept out of office in this purge. We have had a couple of purges resulting from reapportionment because it seemed like we had two or three reapportionments. All kinds of courts threw this out and that out and we had some really turn-over governments there for a while, legislative-wise. So I think that to me that was the key that they already had the know-how if they could just get enough people to become a majority instead of the minority and this is what happened.

I2: How would you assess the Governors from 1944 on?

F: I do not! [Laughing.]

I2: Are there any that are outstanding in that ____ or any that ____?

F: LeRoy Collins.

I2: Anybody else?

F: Depends on what they are outstanding for. Some of them, I do not know that the forty-four . . . I mean you know, Millard Caldwell [Florida Governor, 1945-1949] was a pretty good Governor but it was right after the war and it was not much of a time who knows about Dan McCarty, everybody knew Dan McCarty [Governor of Florida, 1953] might have even died in office. All of them have contributed something, you know.

I: What was it about Collins that made him outstanding?

F: I do not know. He was smart, decent. He had guts, he took unpopular stands,

he was a guy who came into office promising that the schools would never be desegregated and went out having gone all the way, as far as he could you know with the desegregator in the House. He was a man who believed in the law of the land and who could change with it, who was raised to believe one way and he changed in office because, I think he sincerely believed that he was wrong and that he should give leadership to the so-called people problems or people programs. He was a man from a small county and a small county background that gave strong leadership for reapportionment, he fought and fought and fought. He was one of the keys. He was part of this minority leadership who in the Senate was very strong, although I said it was in the minority on the thing and then of course became governor. He just gave leadership to the kind of programs that it took to turn Florida into a progressive, forward-looking state attuned to the needs of people and the needs of the rural areas ____ and he was honest.

- I: How do you assess the affect of the legislature staffing on the current legislation, I mean that last few years, what affect did that have besides making them less dependent on lobbies? Has it been worth the cost?
- F: I do not know. I have mixed emotions about it. it seems that it does keep a certain continuity that gives you a lot of interim work. I think a lot of it is busy work and a lot of it they just do with ____ and do work just to have something to do but in many instances I think that it gives us almost a year-round legislative effort so that you do not lose the productivity of something just because the legislature needs _____. But these programs go on and if you get a speaker that wants to change everything and change all the chairmen, and all the committees, they have something from the day they come in there that is going on. They do not start from scratch and I think that is valuable. That and the saying that we are doing away with the dependency on democracy. It gives them a tool for finding out things and really having information and studies so that they do not have to be dependant, not only on lobbyists, but they do not have to be dependent on state agencies or the executive branch or anyone else who will furnish them everything that they use to decide whether something is good or bad. So yes I would say that in the long run it is probably worth hanging on to.
- I: Then the big thing is that it will increase the independence of the legislature?
- F: Yes, and the value because back in the old days we started over. They came up here every sixty days and it took them the first three weeks just to get the staff and get operating and bills going to the session and now it is just an on-going thing. You can hardly recognize when one session stops and another one starts really. They even carry-over bills which I think may be unusual. They carry bills that passed the House and went to the Senate and died. Every session ends and we have got to ____ that side of bills that passed the House that never got

even acted on in the Senate. They take those back and they have one or two or three days, the first week, and they re-pass them all and send them back or they could kill them if they wanted to but they do not have to go back through all of that committee and all of that lost motion again and that to me is an unusual feature. This legislature is something new they are trying that they think has worked well so that it takes away some of the do-or-die thing too of urgency. Or the saying that I killed your bill because it is going to be right back and most of them get re-passed and sent over and it keeps calendars so that there is always something to do.

I: It is all like that at the end of the second year, right?

F: Yes. Well they have to with [a] new legislature but at least it is not wiped out in the middle of it. I mean you know it does away with annual, really the importance of annual sessions if everything comes to a stop every year. But the staff work and the committees, all of that goes on all the time. It does not stop at the end of two years even if you get a new committee chairman an awful lot of that continues to work. I think everything in Florida, every branch is very responsive.

I: Would you believe this could have happened ten years ago?

F: If I had gone to sleep ten years ago and awakened today, I would not believe it. I could see it happening gradually but every once and a while when I sit down and think and see some of the things that come up that everybody is aghast that somebody is doing and think that some of the things that are in my files that happened and that were written about and nobody could care less about it, it is just amazing to see the whole climate and everything changed.

I: How about on race?

F: Yes, that has pretty well changed. I think that Florida has fairly well overcome that and again I think that with your people coming in and going out and this is not the deep south.

I2: You think a George Wallace 41 percent was a Michigan 41 percent rather than a North Carolina 41 percent?

F: I think it was an all mixed up thing. I feel really that the race issue, I just do not think it is a viable issue anymore. I think there are still people who think about it and read into it but I do not think that that is the sort of thing that you can get elected or defeated on anymore.

I: Was it at one time?

F: Oh, yes. Certainly it was.

I: Was that the thing that defeated Collins?

F: Yes, that was partially it. Yes, I guess it was almost entirely really because he never could. Part of his one thing that beat him, that coaxed everything on him, was that picture of him walking down arm-in-arm with _____ with Martin Luther King and somehow or another upon his way would sell the idea that he was marching with him rather than walking along trying to make sure that there was no riots or that sort of thing. That he was actually a part of the protest is what they tried to make it look like and that and the fact that he got on either T.V. or radio, they probably did not even have T.V. then and said it was morally wrong for Woolworth's to invite blacks in to shop and not let them sit down and have a Coke at the counter. That was a handy sort of thing but a shocking thing that happened, the governor said. People just saw that liberal and it is still to a lot of people, you know when you say Liberal Conservative, it still means race to some extent but I just do not think that you could ever, today, in Florida get elected on the race issue. That could be a problem, it may be some of this below the surface to some extent though I do not think so.

I: You say Attorney Collins' race was the last time that that would?

F: Certainly state-wide and I think that has proved that when Askew, I am sure that you are familiar with that straw-ballot thing they had, about the busing thing and even though he was overwhelmingly defeated on that, people are able to feel that way if they want to and busing is more than race. It is and I do not give a damn where it is, I think there are some people who feel about busing, they do not have any strong feelings about black, white, or anything else. So that was a mixture that was actually more upsetting than prayer in the schools, that was another issue that a lot of people were upset with but the polls still have shown that even though they might disagree with Askew that they think his motives are good.

I: End interview Barbara Frye. No more transcription on this tape.

[End of the interview.]