

SPECIAL SESSION

JOURNAL OF THE SENATE

Thursday, January 26, 1967

The Senate was called to order by Senator McCarty at 11:00 A. M. The following Senators were recorded present:

Mr. President	Davis (27th)	Griffin	Sayler
Askew	Deeb	Gunter	Shevin
Bafalis	de la Parte	Horne	Spencer
Barron	Edwards	Johnson (19th)	Stolzenburg
Barrow	Elrod	Johnson (37th)	Teague
Boyd (15th)	Fincher	Knopke	Thomas
Boyd (28th)	Fisher	McCarty	Whitaker
Broxson	Friday	Mathews	Wilson
Chiles	Gong	Ott	Young
Covington	Greene	Poston	
Davis (5th)	Gregory	Ryan	

42. A quorum present.

Excused: Senator Slade until 12:30 P. M.
Senators Haverfield, Hollahan, Gibson, Spottswood and Weissenborn.

Prayer by Senator Reubin O'D. Askew of the Second Senatorial District:

Our gracious Heavenly Father who art the fountain-head of all wisdom, we acknowledge our complete dependence upon thee.

Grant us, we beseech thee, a keen awareness this morning of the responsibility that is ours and help us that any response we make will be beneficial and fair to all concerned and above all, pleasing in thy sight. For we pray in thy holy name. Amen.

The Pledge of Allegiance to the Flag of the United States of America pursuant to Senate Rule 7.2:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The reading of the Journal was dispensed with.

The Journal of January 25 was corrected and approved.

Senator Friday moved that the Senate go into Executive Session at 11:22 A. M.

Because of the refusal of certain members of the press to leave the Senate Chamber pursuant to Rule 15.4 and Article 3, Section 13 of the Constitution of the State of Florida, the Senate reconvened at 11:34 A. M. The roll was called and the following members were recorded present:

Mr. President	Davis (27th)	Griffin	Sayler
Askew	Deeb	Gunter	Shevin
Bafalis	de la Parte	Horne	Spencer
Barron	Edwards	Johnson (19th)	Stolzenburg
Barrow	Elrod	Johnson (37th)	Teague
Boyd (15th)	Fincher	Knopke	Thomas
Boyd (28th)	Fisher	McCarty	Whitaker
Broxson	Friday	Mathews	Wilson
Chiles	Gong	Ott	Young
Covington	Greene	Poston	
Davis (5th)	Gregory	Ryan	

42. A quorum present.

The President addressed the Senate as follows:

Members of the Florida State Senate, distinguished members of the press, it is with mixed feelings that I approach you on this occasion.

Frankly, it is with a feeling of great remorse in many respects. During my political career in the State of Florida I think that perhaps no man has been treated more kindly than have I by the press of the State of Florida. But I would hope that I at least partly deserved a part of that treatment.

On many, many occasions, and as the Senate Journal will show time after time, it fell my lot to be the one dissenting vote on many issues which have confronted this Body because I felt that I was right in principle and the action I took was for the benefit of the people of the State of Florida. On many occasions, in the recently disturbing demonstrations that have happened here in the State of Florida, I have had to caution my people that the very foundation of our nation and our government is based upon compliance and adherence to the laws of this state and the laws of this nation, whether those laws comply with our wishes or not. I have also pointed out on many occasions that the proper recourse for any changes a person might desire in the law would be through the lawful courts of this state and of this nation or through the processes of legislation. Many times, in spite of those opposed to the things that I tried to bring about to instill reason in my fellowman, I found myself as so many people do who attempt to walk a course straight down the middle of the road, impaled on two spears instead of one. It is with deep regret that I come here this morning and find a group of people who represent the great press of this state taking a position which is in violation of the Constitution of the State of Florida. It is even more repugnant when I realize these people who are armed with the great sword of the pen that could bring about changes in this Constitution are apparently so short of news that they have to stage a demonstration and behave like a group of school children. Such action, in my opinion, cannot help but be deeply repulsive to every law-abiding citizen of the State of Florida particularly on an occasion when the state is in such turmoil and we are trying in a legal manner and through legal processes to combat the problem of the invasion of the Supreme Court of these United States in its usurpation of states rights.

I say to you that whether I am ever re-elected to public office is not the question involved. The many events that are taking place in this nation, not only in the state of Florida, are in total disregard of the principles of law and order, such as these tremendous demonstrations that usurp our highways that deny our citizens the right of use for which they were intended. These demonstrations bring about an invasion of the rights of the masses of people of this nation. They are in reality even more dangerous than many enemies that I know this nation to have; because without law and order, without constitutional authority, without the legal processes of law, our society cannot survive and we would have but one thing, and that is anarchy. It hurts me very much that some of my friends, without the slightest indication to any member of this Body, would take a position that would flagrantly violate that which is dear to me, the Constitution of the state of Florida. Let there be no mistake about it, the Constitution of this state provides for Senate executive sessions. I am one of those persons whose legislative career has stood out as being opposed basically to executive sessions. I could wish we might adopt some rules that would require us to point out reasons for going into executive sessions, and yet I can see some complications in this procedure. I have never seen any great demonstrations about executive sessions in the halls of Congress where many executive meetings are held. I can conceive that members of the Senate might be reluctant to disclose in a public hearing information about appointments and the qualifications of those appointed. I can also see where many innocent people might be harmed because of charges which might be made that might, in reality, be unfounded. This, of course, is the purpose of the executive sessions. It is a process that hopes to give to the people qualified appointees with a minimum amount of damage to the families of these people and in some cases to the character of these people.

I cannot help but think of the children of the people involved who would be embarrassed when some irresponsible charges that this Body has not had a chance to investigate is exposed through the press. These charges may subsequently prove to be false and a great deal of harm and embarrassment would have come to innocent people because of such procedure. Certainly it does not seem too wrong to me that some effort should be made to clothe and protect these people until such time as a determination of guilt has been made.

This procedure is exactly the same as is followed in Grand Jury hearings and no one has seen fit to criticize this process of government. When a motion is made by a member of this Senate that we go into executive session, it is in compliance with the Constitution of this state. I would hope that we might use this right sparingly, and that many matters would be considered publicly because you and I know that there are so few things in an executive session that actually would not stand the light of day and the light of the press. At the same time, the constitutionality of such action cannot be denied.

When this body takes the vote to proceed to executive session that the Constitution provides for, it is the decision of the duly elected representatives of the state of Florida, and when someone takes it upon himself to try, as a handful of reporters, to dominate, to subrogate, to intimidate the duly elected representatives of this state, we have come to a poor pass. We need in this state, as never before, to stop, to pause, to look where we are going because it is later than you think.

On motion of Senator Covington, the Senate went into Executive Session at 12:30 P. M. On emerging therefrom at 1:43 P. M., the roll was called and the following Senators were recorded present:

Mr. President	Deeb	Gunter	Shevin
Askew	de la Parte	Horne	Slade
Bafalis	Edwards	Johnson (19th)	Spencer
Barrow	Elrod	Johnson (37th)	Stolzenburg
Boyd (15th)	Fincher	Knopke	Teague
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Covington	Greene	Poston	Young
Davis (5th)	Gregory	Ryan	
Davis (27th)	Griffin	Sayler	

42. A quorum present.

ENROLLING REPORT

Your Enrolling Clerk, to whom was referred—

SCR 10-X(67)

SCR 12-X(67)

--reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on January 20, 1967.

EDWIN G. FRASER
Secretary of the Senate

Senator Covington moved that the time of adjournment be extended until 2:30 P. M. this day.

The hour of adjournment having arrived, a point of order was called by Senator Whitaker and the Senate stood adjourned at 1:58 P. M. until 11:00 A. M., January 27, 1967.

EXECUTIVE SESSION ANNOUNCEMENTS

The Senate in Executive Session on Thursday, January 26, 1967, upon the recommendation of the Governor, removed from office:

Richard A. Stickley, Sheriff of Charlotte County.

The Senate in Executive Session on Thursday, January 26, 1967, upon the request of the Governor, returned to the office of the Governor the Executive Communication relating to the appointment and confirmation of

Roy M. Speer, St. Petersburg, Assistant State Attorney, Sixth Judicial Circuit, for a term ending on the first Tuesday after the first Monday in January 1969.