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This is an interview with Mallory Horne, president of the Florida senate conducted in Tallahassee, Florida on May 21, 1974 by Jack Bass and Walter De Vries. Transcribed by Joe Jaros.

Mallory Horne: I'm involved in a state wide race as soon as this damn session is over.

Jack Bass: Sounds like it is going to be quite a race.

Horne: It is. Well, there are four of us, seven or eight, in it. Really have a pretty deep background and tradition in Florida's government over the last few years and all of them really top-notch people, so that makes for an interesting campaign.

Walter De Vries: Well, you are one of the senior members of the legislature.

Horne: Well, I don't like to call it that anymore. That means that you are old.

Jack Bass: Well, not in this place.

W.D.V.: Well, it seems that here the senior members are also young.

You go to other states and you see that the president, the speaker and so on are all sixty, sometimes older.

Horne: Well, I've been at this for twenty years now. Do either one of you have a match on you? My lighter's gone completely. . . .

W.D.V.: I might.

J.B.: Sometimes I do, sometimes I don't. (Interruption on tape)

W.D.V.: You're one of the few legislators who have bridged both eras.

The so-called "Pork Chop Era" and the era since 1967. Can you tell us a little bit about both and the differences between the two?

Horne: Well, there are great differences. There are a lot of differences first of all in the organization and structure of the legislature. There are monumental differences also in the philosophy and technique of those who. . . I was in the house during the heyday of the so-called Pork Chop group, which was a group in the senate. They were prodominantly businessmen, very conservative and they ran an exceedingly tight ship. Their rules were extremely loose, rules of procedure, and their technique was very autocratic. I remember the first bill I introduced, I guess that was like a mother having her first child, you are very proud and very paternalistic. It was a bribery bill, to tighten the bribery laws of the state. We passed it through the house and then it vanished. We had, of course, none of us, the technology to enable us to really follow a bill, so journals and calendars were the only source to go to to find the progress of a bill and though their rules called for notice to the introducer, I never received any notice and after an embarassingly quiet week or ten days, I became alarmed and concerned, and during that period of time, I was really ashamed to admit that I didn't know what might be happening. So, I went to the speaker, Ted Davies, who is dead now, and confessed that I didn't know what was happening. He smiled and suggested I go see my senator. I did, and he sent me to another senator, who was chairman of the committee of reference. And when I went to him, he said, "Why son, your bill is dead." And I, in shock, reminded him that I was supposed to have notice and cited to him his rule. He said, "Oh, we called your office and gave you notice and left you notice. But your bill is dead. We've had a hearing and

it's been killed." And he literally pulled out his drawer and showed me my bill. So, from that day, which really wasn't typical, but by proxy voting, they frequently would have meetings with only the chairman there or the vice-chairman there and he would have proxies from all the other members, so that each senator would have a number of significant sounding committees on his letterhead and every member was chairman of a committee. And which meant that the logistics of the session kept them from being able to attend all the committee meetings. So, proxy voting was the vogue. Proxy voting also occurred in the house, but it never reached that point. They didn't have quite that many committees and every member was not a chairman. The legislature then and now is best characterized by really just painting a picture for you of the legislature when I arrived. We didn't even really have copies of the bills we were supposed to vote on. This really was an affront to me and to a lot of younger fellows that came there. There were six copies available and only the senior deacons had access to those. You would go to a committee hearing and a chairman would have a copy and he would read from parts of it and for the most part of it, with the crunch of legislation, we were then handling almost twice as many bills in half the time as the next busiest legislature. We met bi-annually for sixty days and much of that was ceremony. So, we had to rely on capsules of information describing that bill by people who had a pro or con interest in it. And it was frightening at best. The house then, while they had a sound system, had no office facilities, and the only time that a member had to use a secretary from the pool was on the floor or in committee. So, it was rather common practice for members to be dictating on the floor of the house while debate ensued. The consequence of that was that there was

no atmosphere of deliberation and no orderly procedure there at all. It was almost a shouting contest and most instances, the member who had the floor, unless it was a bill that had intense interest behind it, he was literally talking to a group peripheral to him. And we had actually then two legislatures. Under a court construction, our legislature began and ended, constitutionally, the curtain rose at the beginning of the sixty day biennial session and that's when the power of that legislature began and it ended when it adjourned. It had no power to recall itself, it had no power for any interim activity at all, because of some constitutional language that the courts construed to be a constraint on any extra session jurisdiction. There developed a technique around that, called the legislative council. And it was composed of one member from the house and one from the senate from each congressional district. They became the interim work product, such as it was. They could introduce bills in the legislature. . . .

W.D.V.: But they were ad hoc?

Horne: Yes and exceedingly powerful. And as you might expect, the chairman of that, who was rotated between the house and the senate, there naturally developed because they had access to the staff and to the work product and study and all of that, they had the best legislative information that was available. The session had none, except those people who had an interest would volunteer talent, you know. Literally, in the critical areas of appropriations, we borrowed from the executive branch some of their budgeting people to help us put together the appropriations bill. So, except in an area where you really had the time to pour into one little item of the budget,

we were absolutely at the mercy of what the executive wanted to spend. The tacticians were powerful people then. And jealousies developed between the councils that operated for a year and a half and the ceremonial legislature, to be sure that there was a separation of this vast power, the speaker or the president would never appoint to the committees the same people that had been on committees over here because that was a submission to the other, and vice-versa. So, there never was an inter-facing at all. In fact, an in-bred conflict.

W.D.V.: Who appointed the members from the various congressional districts?

Horne: The speaker and the president. But once they got on it, they just stayed there, because they became powerful enough to help name the next. At some point way back, probably, they. . . .

W.D.V.: So, the continuity of leadership remained on the legislative council, but not in the formal legislature?

Horne: Right. And so, we were really a rather ill-equipped, inept legislature during those days. The ceremony was there and the honor was there, but as far as being a test of the executive branch in any way, we were not. Only on the most volatile issue of the times, did the legislature speak any philosophy. We really just enunciated the executive request and demands. There was really an impatience of younger fellows coming out of World War II and out of college after World War II, and they began to demand the series of changes that you are still involved in producing. Because change, when it involves the power structure, of course, is excruciatingly painful. So, now, from that description of the problems of the legislature twenty years ago to the problems of

the legislature today, during that period of time, of course, we've abolished the legislative council and I was fortunate enough to be the drafter and introducer of senate bill 35, which put the coup de grace to that monster and I did it after reapportionment had put so many freshmen in the legislature that didn't know what that really was. We were able to jam that thing through, literally in a matter of three days, before those who were on it could really regroup and realize what power they were relinquishing.

W.D.V.: Had it been set up by statute?

Horne: Yes.

J.B.: This is the legislative council?

Horne: Yes. Now, that's not the. . .I may be thinking of the wrong name, now. And the other was the legislative reference bureau. Then we changed and had our legislative council become the body of research and library and all the services for both.

J.B.: What was it before, basically a bill-drafting. . . .

Horne: Yes. Now, the other problem is that the other end of the cycle has been that we have moved in that span of years to totally computerize the legislature with almost complete services through capability of identification of a measure and its present status, with offices and a good staff which we have been able to keep highly professional for the most part, as professional as politicians can tolerate, as massive power changes have occurred, of course, the personalities have changed some, but they have been replaced by very professional people and talented people. Then, we have gone to annual sessions and we've revised our constitution and restructured the executive branch and we've restructured the judicial branch. And where we are today is in one terrible situation. We've become so

expert and so staffed and so computerized that we have taken on more of a load than the human equation can stand. The house, for example, has started a continuing review of bills introduced. They don't ever get through with that process, which means that we receive from them at the first part of every session, seven or eight hundred bills that may have been the work product of the house for over two years. In other words, if a bill passes through one committee one year on a dual reference and then goes to the second session and then hits the floor and dies on the calendar because it wasn't reached, then that's where it is the next session. And this is a very compounding situation. It probably is best, but it is only best in the context of more time. What I'm really trying to describe for you is that we have all the facilities for capsuled information from our own people, objective then in source and intent, but the ultimate impact is that a member has just so many hours and we've reduced that capsule of information to its most infinite context and he's getting this literally running down the hall, eating lunch in a hurry, spending sixteen hours a day over half the session, the ones that really work and really for quite another reason, we've lost the time to really dialogue with each other, to really deliberate, to spend enough time to really exhaustively pursuing the complex ramifications of a particular measure. So, I see this session really indicating now the necessity of taking the next step, and that's to remove the time constraints on a session. We still have a compulsive sixty day session, even though it is annual it isn't helping, because it's just a continuation of the last one. So, that's a thumbnail really, I guess that your question probably would develop more. . . .

J.B.: What you describe really, is almost as though you are describing the legislature suffering from some kind of future shock. You've had so much change so fast that it is hard. . . .

Horne: Right.

J.B.: . . . the human equation.

Horne: That's right.

J.B.: But do you propose then an open-ended session, or just a longer. . . .

Horne: I don't want to go to an open-ended, because then it might slow down too much.

J.B.: You think that sixty days isn't enough, but that there needs to be a limit somewhere?

Horne: Right. I think that we are going to have to. . . one, we are going to have to face the question of whether a bill, and this needs to be a joint deliberation during this interim, faced with a house proposition of whether a bill ever dies by virtue of the adjournment of a session. If that one is crossed in the negative, so that a measure just continues to be before the legislature, then we have to. . . we have studied, for example, in the senate it reached such a crucial point on the human thing by the time that my predecessor in title took the chair, that I recommended that we evaluate the pressures on us and I took on the responsibility for doing it. So, as I reviewed the build-up before a session and examined by time spent on bills, I found really, a remarkable curve with the pressure being notably more apparent at committee time at the outset of a session. Up to this time, by the way, we were having sessions every day, simply because they had had sessions every day historically. The senate convened, and

the house did too, every morning and we had a half day session every day. During that time, we were largely debating relatively non-controversial bills, but because we had to be there for three hours, senators debated longer and they frolicked around a little bit, so when I evaluated this curve of corresponding and changing pressures, it was apparent that immediately we needed to give the committees more time in the beginning and take more time away from the floor. So, the first three weeks of our session, we don't have but two floor sessions a day. That keeps pressure on that floor so that they are moving and not wasting. . . .

J.B.: Two a day, or two a week?

Horne: Two a week. Did I say two a day? Excuse me, two a week. And we load up on committee time and then as they begin to expurgate that load and the bills in committee begin to diminish, this is about the third week, we begin to vote and the calendar begins to grow. We begin then to fold in another half a day a week, another a day a week until then we are diminishing our committee time and we are meeting every day and twice on two days. So, it is just a sandpipe, approximately corresponding to the changing work load. And that helped a lot, until the house changed its rule. . .well, it still helped, it would be insuferable without it now. Now, we are in double sessions every day and the committees, the ones that have to, are meeting at night. What's today, Tuesday? Tonight is the last night that our committees can meet without a waiver of the rules, on the theory that any bill that still has to be debated in committee with a thirty-eight page calendar with one week to go, unless it is an emergency, and we have monitors monitoring for the major bills, and if one of them is still tucked in there, and one of them still is, we'll go in with a waiver of the rules and have

a hearing on that bill and bring it out and try to get it to urgent attention. But a human being isn't a computer and as much as the age and education has changed over that twenty year period of time, there still is an emotional and clearly discernible limit on what a person can handle during a day. And whereas we once began to reach that during the last week, we now begin to reach it after two weeks of a session. On the strong evidence of a conclusion that we can't compact what Florida has to do into sixty days anymore. I don't know how long it will take them to admit that, because it is unpopular to admit it. Frankly, the combination of the times and legislators and politics, the last two being at the bottom end of the run, most people would just say, "Well, hell, let's just don't have a legislature." Or don't meet. And they laughingly say, you know, "we're better off if the legislature doesn't meet." It may be, but if they are going to meet, the whole idea is to deliberate and the atmosphere is not good for that. Then, you take the other thing where fifteen or twenty percent do 90% of the work and you are really killing those guys. They are walking around glassy-eyed the last three weeks of a session. They really look sick. So, that's a problem really, that's consequent of the progress, I think. Here in the senate, we are undertaking a unique thing that may work. Did Louis ^{DeLuca} Parte talk any about our ombudsman program.

J.B.: No.

Horne: Let me take a minute just to mention it, because it's unique in the states. As a businessman, I have viewed our biggest failure over the years to be. . .first of all, I view the legislature, it's primary role to be a check on the executive branch, a test of the executive

branch, and where that really comes into prime focus is in the appropriating process. To a businessman, the appropriating process is two vital and separate functions. And the same needs to apply in government. First of all, he needs to evaluate the function to be performed by his business or to be performed by government and then to allocate out of the existing dollars in priority those dollars to those functions. Now, the legislature has been doing that in increasing independence and increasing capability. In my beginning, twenty years ago, that was a farce. As I said, our tools were their tools. We had no way in the world of knowing what functions of government were being performed. There was no index or digest of them and even worse than that, we didn't know how to evaluate the priorities, so we had to take their priorities. So, that part of the appropriation cycle improved dramatically over this period of time, with the independence and capability ~~and~~ of having budget people working concurrently with the executive branch evaluating where, how many dollars we had and where they ought to go. That part, we have begun during the last six years to do fairly well and fairly independently, very independently as a matter of fact. And to develop in that process, new programs for the executive and the funding. But the second part of that business is vital in a business, and the chief executive does this, the board does it, the legislature needs to be about the business of doing it, but finding a technique of doing it without itself becoming a terribly expensive and onerous thing was a challenge. So, what we did, beginning with my term, was to try to find a scheme of testing. Here's what that function should be, and you probably know it as well as I, but the businessman then, follows constantly. He may do it on a

selective basis, because he can't really know all of them. We have different techniques in my business, I constantly, without much notice, would call in and get down deep into the performance area, but it's efficiency testing, performance evaluation. But he follows his dollars to see how well they are doing the job that he intended to do when he allocated the dollars. Now, that's the role that the legislature has been absolutely unable to perform in any state and certainly here. So, I realized that the one thing that we had all the time, constantly, from the level where government touches people nose on nose, was complaints. Twenty or twenty-five telephone calls a day during the interim came to me, and I assume to every senator and every house member, from people who were involved with government. They were bitching at me because they couldn't get an answer, or they were getting sidetracked to another agency, or they were getting wrong answers or a multitude of things running the whole gamut. Well, in the past, for each member to serve his constituent, he had to first of all, find out where in the hell that job was being done. And I'd call, and call, and I'd get two or three answers and then I'd finally find the guy that could give me an answer or that interviewed that person. "What's the trouble?" "Well, we'll try to get to him." And I would call my constituent back and say, "O.K., you're right. The state roads department when they put in that culvert, did use the wrong elevation, they are flooding your yard and they are going to come fix it. They'll be there next week." So, I multiplied in my mind the experiences that I had like that everyday and so I called in the senators and we developed, with a lot of different ideas from sources within the senate to a sophisticated thing. So, here's what we did.

And it's beginning to work. The executive surely doesn't like it, so that means it's got a chance of working. First of all, we got some smart people in government to evaluate Florida's government. This took eight months. We broke out all of the functions of government expressed in verb form, very minute, infinite verb form, to do a small thing, so that it could be instantly controllable. And we computerized the functions of government expressed thusly, "to do blank." And we put that in the computer. When that same job was done on a regional basis first, then we computerized that back with the geography constituting that region and we also added the top cat's name in that region that was solely responsible for that job. We trained people to answer the phone. Then we talked to senators and said, "Look, rather than bothering with all your complaints, you either give them this number and tell them to call the senate ombudsman, or you get the information and give it to the ombudsman. And in every case, when we solve your constituents problem, we'll do it in your name." To keep the political end of it in balance. If we isolated him from his constituents, they wouldn't cooperate. The first few months, we did this in house, to test our equipment and to test ourselves, then, we put on an ongoing toll watts line so that different regions could call directly. And we began to advertise down there, a sort of a place to complain to, you know. But the important thing was constituent service. The idea is that we take those complaints, and when they begin to patternize, and they do, by the way. About 15 or 20% of them are misconceptions of entitlement or misconceptions of what government can do, you know. But 80% fall into some really interesting classifications, and what we are doing there is sending those complaints, the summaries

of those complaints to the committee of jurisdiction, to the ways and means committee for next year when they meet with those people. And we also send it to the agency, because the prime purpose is to help them. And so, we are into the business now of following the appropriations into performance evaluation and that. . . .

J.B.: Can you give us a couple of examples of how that has worked? The ombudsman program. I mean, just from your own personal experience.

Horne: Yes, a woman in my district calls me and now, I just tell them to call that number. In fact, with incoming calls, my own procedure, because I'm president, I'm really too busy. But with most senators, let me give you a classic example. In Ocala, a person going for aid to the blind, complaining that they had taken a month and a half or two months, and still filling out forms and still not getting a decisive answer whether they were entitled or not, or getting a no when they felt like they were entitled, will call in to me or direct to our number. O.K., they first of all attack that computer and it comes up with a statute number and they check to see whether under these circumstances, a person does this woman's age and degree of blindness, certified by the doctor, does that constitute blindness, and are they entitled? Then, they pick up the phone, the watts line and they call that top cat in Ocala, who is regional head, "Mrs. Johnson has been in and out of your office for three weeks, she says, trying to perfect her claim for aid to the blind. What's the trouble?" "Well, the Tallahassee office has to. . ." "Well, your own rules say that you make the final decision unless there is a controversy." "O.K., tell her to come back." Then we call that lady back and tell her to go back. But we catalogue that gap and that complaint and we send it to governmental operations and we send it to appropriations to evaluate. And they sit down with those people when

their appropriations come up and talk to them about it. One, that we've found two or three things indicated. That first of all, we have found. . . .

(end of side A of tape.)

J.B.: Has this resulted in increasing their sensitivity to people?

Horne: Well, we've called on them for some retraining. Some of them have sent some of their employees for retraining. The one thing that it's doing, and it's too early to really claim anything, because we are now into the first session after its initiation, but we in all cases send this summary to agency heads. First of all, just the fact that somebody is looking that closely at your performance perks you up just a bit. You do a better job when you know damn well that somebody is evaluating. And particularly when they are evaluating in context of dollars for your agency. So, the one thing that it has done already is to have agencies recycle, retrain, redefine and in some cases it has developed problems in executive reorganization, in defining jurisdiction. We had left gaps, so it was our fault. In those cases, we quickly moved in and introduced bills to cope with that, the who reorganization of health and rehabilitative services is a consequence of the patternized complaints largely in that area. The difficulty in getting any answer at all in a region indicated to us a structural failure, our fault, when we compacted the multiplicity of health and personal-oriented services in one gigantic department and put all the structure up here in Tallahassee with no real authority down here. So, it's not only helping us, but it's helping. . . .

W.D.V.: Now, this is the only state that has put the ombudsman structure in the legislative branch, it has always been an executive thing.

Horne: That's right. And of course, the problem with having it in the executive branch is like having the auditor in the executive branch. The goddanged auditor he never really did a hell of a job. The same man, the same staff, but when we had him under the executive branch, he'd walk tippy-toe through the boss's office, you know, and if he wrote up anything, it was fairly good. Now, he's busting their ass, those dollars and that statute are going to match. It's just the human equation.

W.D.V.: This is program budget based on client reaction, period. Right?

Horne: Right.

W.D.V.: It's not investigatory, it's based on reaction?

Horne: That's right. Then, when it patternizes, we move into investigation with the committee of jurisdiction having responsibility. We have to diffuse that, or it will overwhelm them. We have to be very selective, we can't take on the whole damn world in one year.

J.B.: Does it, well, is this ombudsman situation at the moment limited to the senate only?

Horne: Yes.

J.B.: Do you anticipate a little expansion for it to become a legislative function?

Horne: Yes. I sure do. But it's first got to work. I proposed it first to be a joint legislative management deal. The fear of failure makes us leary of trying sometimes, so I think that in a couple of years, this thing will be. . .and the house is already using some of the data that we are developing.

W.D.V.: How does the executive office feel about it?

Horne: They don't like it.

W.D.V.: Do you send them your reports?

Horne: Yes sir. The idea isn't to embarrass them at all. Because that isn't the role of the legislature. It is the role of the legislature to

test. But the executive branch isn't going to test itself any more than I am going to test myself.

J.B.: It's sort of a new demension of the concept of legislative oversight.

Horne: Right, right. And it is an index.

W.D.V.: I was George Romney's executive assistant for program and development and his liason for six years and I ran that whole thing, but doesn't it result in people, instead of coming to the executive office, the governor, going to the legislature? In other words, that case work was originally a function of the governor's office. Is it shifting?

Horne: No, well. . . .

W.D.V.: Do people still go to the governor's office?

Horne: They still go to the Division ^{of} ~~of~~ Bureau where they think they can get the service.

W.D.V.: So, when that fails. . . .

Horne: When that fails, they'll probably try to go to the governor's office. When they don't get an answer there, they are mad and they will probably go to the legislature.

W.D.V.: You are the government of last resort in that case.

Horne: Right.

W.D.V.: So, after they have gone to the bureaucracy and the governor's office. . . .

Horne: They are already half pissed off when they call our ombudsman.

W.D.V.: You think they have already exhausted those other two offices?

Horne: Yes, in almost every case they have. And we don't want to discourage that.

W.D.V.: I presume then, that you direct the ombudsman director, who has to be a very special person, right?

Horne: Yes, very special and very hard-nosed. And these people have

to be, we even are bilingual, because so many of our people are Spanish. And the people who are manning the phones have a great deal of talent. We aren't just using telephone answerers. They know what they are talking about.

J.B.: How much do you spend on that operation right now?

Horne: I don't even have a total figure broken out, because I'm using our computer. But it is considerable, of course. We had to do some good staffing and I'm doing it out of my governmental operations committee. So, the software was exceedingly expensive. But really, it has been a worthwhile product, even if the program doesn't produce. Because, we do have the best index, the first index of where it all happens in Florida.

J.B.: Well, presumably, if you aren't getting any complaints about some agencies, you must be doing a pretty good job?

Horne: That's right. And when we get a lot, for example, about a Sun Land Institution, then we hired a little old employee with a good bit of sense, because there were some accusations and all sorts of extraordinary brutality and that sort of thing and I called Emmet Roberts who was then director of Health and Rehabilitative Services and I said, "I've got a little old buddy here that I sure would like for you to get a job and I understand there is a vacancy in the Sun Land Institution out here at Tallahassee. He just needs to be an orderly." Pretty soon, they hire him as an orderly. We've got him there to give us some first hand information about whether these complaints are real. What degree are they real? And they were much more real than I would want to believe. But then with that, we were able to get to the head of that division and say, "Look, you've got some terribly crusty employees and all these stories aren't phony." We did it just that way. And it cleared up.

J.B.: What did they do, did they retrain employees?

Horne: They retrained some and fired a bunch. But they mainly got them a good personnel person out there that wouldn't tolerate that stuff.

W.D.V.: Is the ombudsman tied in with the audit function?

Horne: No. And with all respects to the audit type, audit is historic. It's exact, it's "is this check legal." It's a CPA type of deal.

W.D.V.: They don't do any performance type of auditing?

Horne: Yeah, they do do some performance type of auditing, but it's more in the fiscal area, not the efficiency performance. But, to tell you the truth, and I hope that neither of you are a CPA, I love them and we can't do without them, I wouldn't want to run a business without one, but it's hard to get a CPA to move across this line and into the human equations of getting a job done. They just don't think that way. They still go into dollars and sense. And I want to separate them. I felt that if they got married in the beginning, they would be just another CPA type of report and that isn't what I wanted.

W.D.V.: What else do you think ought to be done in the legislature?

Horne: Well, the time thing for committies and for floor debate is the most significant. We've achieved the staffing level that we need, we've got the money to do it with. The other is purely just subjective. It just depends on how gutty your members are?

J.B.: I want to ask you one question in order to try and understand something. The session is in effect for two years, or do you have two sessions?

Horne: Well, we have more than that, because of special sessions. But primarily we are set up to have two sessions, one a year.

J.B.: But at the end of the second year, everything that is untouched is dead, right?

Horne: Right.

J.B.: And then you start over with the new legislature.

Horne: Right.

W.D.V.: But you are saying that the carry-over from one session to the next is too much?

Horne: Well, it's too much for a sixty day session.

J.B.: Has there ever been any thought given to limiting the number of bills that any member can introduce during a session?

Horne: Now, that's an alternative. That would certainly help. I don't know how constitutionally you would. . . I guess that if the courts contrued that as a procedural thing, it would be ruled that that came in under our rules. The trouble is that you have 20 or 25% out there who are competent and able to handle a lot more. It would be limiting them. It has some weak points.

W.D.V.: Can you limit the right of a member to express what he wants to?

Horne: That's what I'm talking about. The constitutional restraint. When that became the vogue around here, I said, "How do you tell one constituent that. . ." They may be in such situation of flux that their whole ideas and concepts are wanting to test everything that we've got and they may demand that their senator introduce twenty-five or thirty bills. And the guy who is effective out there, a real mover and charger, he is going to be sought for an introducer. But somehow, by God, that bill crunch is the problem right now. But I don't know how you can tell one that you can't introduce but three or four bills. Constitutionally. Because it isn't him you are limiting, it's whatever constituency he represents.

W.D.V.: As you meet with your colleagues from other state legislatures, do you find the kind of format for performance that you find here?

Horne: For the most part. It's not as rare as it was in the preceeding decade. There are as few states where it is as compelling as it is here.

W.D.V.: In the South? Do you find any states like this in the South?

Horne: No, not really.

W.D.V.: We haven't found any.

Horne: No, I haven't. But there are a few states nationally that really are driving to fight the battle of dying legislatures.

W.D.V.: Well, a lot of this is due, of course, to reapportionment, but was a lot of it also due to the group that came out of World War II and the University of Florida and all that sort of thing?

Horne: I put more of it on that than I do on reapportionment. Because much of this began to start. I told somebody yesterday. I said, "You know, you put all of this at the hands of reapportionment." I said, "Name me one that originated since then. Where the growing pressure originated then. That's untrue." Constitutional revision, we were driving for that, and I was on the first constitutional advisory commission in 1955. That's almost twenty years ago. Executive reorganization began in 1957 with a bunch of hardheads, and some of them are in Congress now. They couldn't stand the fact that nobody really knew what happened. We had 210 boards, bureaus and commissions and nobody knew who was doing what. And we were appropriating money to them. So, the idea for executive reorganization began then, but to mess with the machinery of the executive branch was such a terrible fight, because you know, when you mess with that power index, you've got a war. So, finally to do it, in '63, and this was before massive reapportionment, in '63 we just simply created the executive reorganization commission and put top people on it and put them to work. It wasn't just the legislature, it was a little bit of everybody, but

we told them that we wanted to compact the executive branch of government into 25 or less departments. And they spent three or four years doing that and in '68, that was the fruition of it. So, people, I think have unfairly said, because it happened in '68, that it was after the massive reapportionment, that really hasn't been a fair statement in my opinion. The zeal picked up some, because there were members interested in the result. But it was breed of independent, scrapping, scratching guy that wasn't going to be dictated to after World War II, brand new college degrees, idealistic, his own man, that began all of that. And we began messing with the judicial branch. The first major amendment to article 5 was done in 1955, not '68 or '70. It was '71 before we completely rewrote the entirety of our court system, from a structural point of view. So, no, I don't. . . .

W.D.V.: You think that it was all there, it was just accelerated by the reapportionment?

Horne: Yeah, and I find just as many weak sisters politically today as there were then. Some of these guys, a headline can hit, or an editorial can hit and they run into the road. That's not necessarily bad, but it is if that is the only criteria. I find just as many of them today as I did then. And I find just as many guys like Jim Williams here from Ocala and Louis DeLa Parte, who you could put a whole governor and cabinet and every newspaper in the state on him and you thought you had him convicted, he'd get up to fight tomorrow. He's like a burrowing nematode, you might slow him down, but you are not going to stop him.

W.D.V.: Are there more of those kind of men coming up?

Horne: There are always some of those kind of men.

W.D.V.: But you don't think that this period will be dominated by. . . .

Horne: I don't think that the proportion is any greater. The impatience

of Sam Gibbons, who is now in Congress, the impatience of Bill Chappel. Now, it's easier to do it today for some of these, I don't know how to evaluate them, but. . . .

W.D.V.: Does the press of this state have anything to do with that?

Horne: Yes, I think so. I wouldn't know how to assess that in rank of importance, but I think that it has.

W.D.V.: What would you change in the other branches, the executive branch, say?

Horne: Well. . . .

W.D.V.: Take the cabinet system, for example.

Horne: The one thing that I've learned in government, and this is where I disagree with the textbook classic governmentlists, the one thing that I have learned on my own is that people can't stand power. And I believe in every instance, even at the risk of some inefficiency, to diffuse it, the absolute of power. So, I like the cabinet system. I would have them meet more frequently, I think it's more public. On the major policy of this state, I worry a hell of a lot about. . . the easy movement in government is subsurfacial to the elected official. So, I really am opposed to absolute power being in any governor. You might have an exceedingly good one, but even then, absolute power just cripples a good man, but more importantly than that, one man can only reasonably exercise wide dominion over a limited amount of jurisdiction, whether that's business or whatever. And then, the thing that I really fear the most is that those people who make government happen, and this predominates at the federal level I think, they function and make decisions without anybody seeing it or feeling it until it is fact accomplished. So, I like our cabinet system, it may be slow and tedious, but from an

administrative point of view, it's wise. So, the only thing I would do, is have them. . .they are killing themselves in this state by being inept as a cabinet. The cabinet has gone through some remarkable change. A lot of new people, and it has become more a matter of autonomous units than a cohesive cabinet. And frankly, I think that has been encouraged by the governor, and every governor. No governor would like the cabinet system after he gets there. Most of them haven't liked it before. For example, he has encouraged them to meet ~~with~~ only every other week. I think that was a tragic beginning of the end of the cabinet system in Florida. But the real evils that have occurred in a lot of other states have occurred not because you necessarily had a bad governor, but because he was in control of such a vast empire. It was self executed in so many sensitive areas where he had no knowledge and no way of having knowledge. And those people function outside of the public arena. They make decisions without the public being even reasonably a part of them. What I would change in the executive branch is that I would love to see the governor and the cabinet produce it's real on-going testing. The motivation of government is really counter-productive. It's to hire more people to build more empires, to have more people dispersed around the state for political or organizational reasons and it lacks, so the legislature has got to supply it, it lacks the motivation to perform efficiently in the most expedient and efficient form and inexpensive form. That is the compelling basis for almost every other thing except government. And it goes in other directions naturally. And I would be no different if I was head of the department of Health and Rehabilitative Affairs, I'd hire as many people as I could hire. I know that, I think that it's a human equation. I would build an empire, if somebody would let me. And that's the thing

that I've learned out of twenty years of government. So, I don't trust government. I don't trust me unchecked and I don't trust Reuben Askew unchecked, because that power puts a man in the fram of mind that he cannot stand divergence of opinion. And I watched it happen to Reuben even with the power that we had, the give and take of Askew as a senator and the give and take of Askew as a governor. . .oh, he is almost recriminatory when somebody bucks an idea. That happens to people with absolute power. So, that's what I've learned and I think that it's the legislative role to perform that function of testing. I use the expression that people become "uncomfortable" when the governor and the cabinet and the legislature quarrel and I become uncomfortable when they are in a lovefest. I guess that sums that up.

W.D.V.: Why do you want to be a United States Senator?

Horne: I don't know. You know, I, well, I surely wouldn't want to be governor, or caginet member, or a judge. The conflict in my mind is that I really wanted to get back into my business and up until February 1st, I was heading there pretty dramatically. Rebuilt another business to go back to, as a matter of fact. Started and built a life insurance company to head in Tampa. I now have to go and grab some new leadership for that. But I love the legislative business, I love the fighting, the difference of opinion, the reconcilliation of philosophic differences. That's just part of me, and the idea of all of a sudden of not being involved in that, probably stirred whatever there is about us that is a virus. In fact, if there was ever anything else that I wanted, it would be the Congress. And I think oddly enough, everything that I don't like about a legislature, I think they've lost really their type. I think~~/~~they are as ill equipped today as we were twenty-five or thirty years ago. I think that they are

just like the cabinet. A senator up there has a fine staff, a lot of people to help him, but he is so patronage and constituent oriented that it is hard for him to be a viable part of the whole. And I don't see the U.S. Senate really as a whole. I hope I'm wrong. And you aren't supposed to be concerned about anything except what comes before your committee and the seniority system pisses me off. That's a bad way to run a battleship. Maybe they do. . . .

W.D.V.: You want to go up there and raise a little hell, is that it?

Horne: Well, yeah, I don't want to not raise hell. And really, if it is as bad as I think it is, I'm not going to run again. If all I am going to be is a letter writer. . .if I get there, and I've got a 25% chance of getting there, if all I'm going to be is a letter writer and a post office originator, and. . . .

W.D.V.: Do you think that some of the reforms like the Sunshine Law and the way you operate and organized this legislature would help the Congress?

Horne: It damn sure couldn't hurt it any. Yes, I do. They can't find a bill, and they do every once in a while, one of them will call me and I can pluck out here and tell them where a house bill is and where it's been amended and find out in seconds. . . .

J.B.: That's a computer console, right?

Horne: Yes.

J.B.: It ties you into what?

Horne: To the legislative computer. In a second, I can recall a bill's current status. Well, the same thing, you call a member of the United States Senate and if he can give you the current status on a bill in less than four days, it's because he is handling it.

J.B.: Could you demonstrate that for us for just a minute? I'd just like to see it.

Horne: Yeah.

(Tape turned off)

W.D.V.: You've got what, five or six serious candidates against you?

Horne: Well, no. . . .

W.D.V.: Three?

Horne: Three serious candidates. And all pretty (Interruption on tape) We are hard to forecast. And I guess that that's because we are sort of a melting pot, really. We've assimilated so much of the national population by infusion that we really are in some sections, typical midwestern conservatives and typical northeastern liberals and we view government from that vantage point. And you can sit out there and watch the appropriations bill out there this afternoon, and feel it. So, forecasting a Florida election is tough, and being in one is even tougher. So, I don't know, I think that any one of the four. . . there are several others, but I don't think that any of them are making any waves. . . any one of the four could by a fortuitous set of circumstances put together a winning campaign.

J.B.: How would Governor Askew fare in a head-on presidential primary in Florida against George Wallace?

Horne: Against George Wallace? That's a hell of a good question. Well, George Wallace was high man before. . . you know, I never have had that put to me quite like that.

J.B.: Let's assume that Askew gets re-elected governor by a substantial margin. . . .

Horne: Oh, he's going to get re-elected by a substantial margin. He's

got more trouble than he thinks he has, but it's with the people that have organized for him. They feel that he has been aloof, and he has, but being governor makes you be rather aloof. He can't spend the time. People around the state that have been in his organization in large numbers, aren't in his organization anymore. He's replaced that with an extremely strong popular image with people that don't know anything about politics and don't give a damn. That's really a strange thing to move around and see that that's what. . . I'm not even sure that Reuben realizes this. Let me punctuate that. I was in Broward County the other night and there were four or five hundred people and the people that had organized it for me, one of them was standing at the door greeting people as they came in, and as that began to subside and the party separated and begin to mellow out and having a drink or two, this guy says, "You know, I was Rueben's campaign manager in Broward County last time." "Oh really?" And he started calling over people and he called all but two of the committee last time. And this isn't much of a compliment to me, but they are using my race as an excuse not to screw with Askew. But in that same county, too. . . .

W.D.V.: Why?

Horne: One, he wouldn't communicate with them, wouldn't talk to them. Being with him was a neuter. He is very, very objective. He leans completely on staff and staff evaluation of what is right and wrong in his opinion. Which is great, but committees like to be talked to and listened to, particularly about patronage. Who is going to be this, that and the other, and who isn't. But in that same county, I would venture to say that Askew would get a 70% vote or better against anybody that ran against him in the Democratic primary. And that doesn't answer ~~his question~~ your question.

W.D.V.: Well, keep pondering his question, but how do you explain that

phenomena, that 70% of Broward County would vote for him no matter what.

Horne: Because of what I just said. That he had replaced the typical extension of candidate from an organizational point of view, which is the basic way, the way I've got to do it, because I don't have that image.

J.B.: How do you think, getting back to my question. . . .

Horne: Yeah, I am, but he has replaced that with an image that is pleasing to people.

W.D.V.: Is it free of organization?

Horne: Yes. Free of organization. The name "Askew" has become symbolic with fairness, honesty, and for the most part, he has been that. So, he has replaced typical campaigning, and he would have to really screw up. . . .

(End of tape.)