

February 25, 1974

SENATOR FELLMAN: Mr. President, a point of personal privilege.

PRESIDENT: State your point.

SENATOR FELLMAN: Mr. President and members of the Legislature. I would like to rise to a point of personal privilege and raise a question, at least for your consideration. If not, your reaction that occurred to me and to Senator Cavanaugh Friday afternoon. Following a public hearing or rather Thursday afternoon of last week, following a public hearing on a series of bills before the Constitution Revision Committee, the committee went into executive session. We had left the room and individually went back to the committee hearing room in an attempt to sit and listen to the committee's deliberation. We went back singly, that is, one at a time. We went back individually one at a time. Senator Cavanaugh going back first, and he was told at the door of the committee room that the committee meeting was closed and that he was not allowed to enter. He came back to the office and we both, the large office where we both have small offices, and I walked down to the committee room to see if I could gain admittance to the committee hearing and I was told also that the meeting was closed. Now, it's been at least a couple of years since the, or longer, since the committees have been open entirely to the press. Which I think is proper and correct. I can see reasons for having the executive sessions of our committees closed to the public so that deliberation can be carried on without the giving of speeches and without large galleries of people watching the action. But, it seems to me that if the committee process is open to the press and the goal is to have an open legislature in which we can all participate, it is highly improper especially in the absence of a specific rule which is the case here, it seems to me highly improper for a committee to exclude from observing an executive session of a committee, other members of the Legislature. If there was a rule to that effect, I would certainly abide by it. As it was, I abided by the decision of the Chairman of that committee, Senator Syas, with whom I've discussed this privately and we obviously have a disagreement because he says that's the way it's been done for 20 years. Which might be fine history but doesn't necessarily make good law or doesn't necessarily make what should be done at this point just because it might have been done. I know there are committees that meet that do not have this rule of keeping people out and I think it's a matter that possibly later be referred to the Rules Committee if other people in this Body feel as I do that the committee process itself should be open to other members of the Legislature so that they might observe.

PRESIDENT: Senator Frank Lewis.

SENATOR FRANK LEWIS: Mr. President, I rise to speak on a point of personal privilege also.

PRESIDENT: State your point.

SENATOR F. LEWIS: In the first time that I've been here, this is the first I've ever heard of senators being excluded from an executive session and the thing that was more appalling to me was that the committee had determined that three students would sit with the committee in executive session and two senators who had a very interest in the bill would not be permitted to do so. I think this is a personal insult and a personal affront to Senator Fellman and to Senator Cavanaugh. I personally will introduce to the Rules Committee a resolution that any senator may attend any executive session that he wishes.

PRESIDENT: Senator Syas was next to speak and then Senator Carpenter.