

May 4, 1973

SENATOR CARPENTER: Well, if you've got any better language, I have no objection. I'll help you put it on select file if it does that.

SENATOR CAVANAUGH: All right, then I'll let it go at this time.

PRESIDENT: Senator Syas.

SENATOR SYAS: ...if Senator Carpenter done that. Senator Carpenter, doesn't this cover us on regular committee hearings?

SENATOR CARPENTER: Would you say that again?

SENATOR SYAS: Doesn't this bill cover us on regular committee hearings?

SENATOR CARPENTER: Yes. Any time we're on official duty in any committee of any kind as I understand it authorized by this body and by the Executive Committee insofar as being referred to a committee that's when you're covered and no other time. What you say after the committee's adjourned, what you say on your way home you're not covered. You're on your own. Now I'm not concerned about recovering in a libel and being the kind of a fellow I am I don't want to be continuously in court trying to defend myself and spend everything I've got because people are trying to harrass me. Now that's the position I could probably be in more than any body else but you could be in the same position. They don't have to have a case. All they've got to do is find a complaint against you and sue you for a million dollars and they don't expect you to return a quarter. But you're always in court and you have to defend yourself because if you don't you'll have a libel action and a damage suit against you. I'd be the first one to admit that the acquiring of money as a damage, as libel is hard to come by. That's not what I'm concerned about. I'm concerned about harrassment by people who don't like what you're doing and that's one way to keep you from doing it.

PRESIDENT: Senator Snyder. We still have the Goodrich amendments as amended by the Carpenter amendment.

SENATOR SNYDER: I've got to ask a question here. Senator Carpenter, if you would yield please.

PRESIDENT: Senator Carpenter yield?

SENATOR SNYDER: My quandry further is that this is statute and yet the Constitution, Article III, Section 26 says "no member of the Legislature shall be liable in any civil or criminal action whatever for words spoken in debate." That is what I confronted the Attorney General with. And he took that to mean while we're here in session on the floor and I think you both agree to that. My question is, can we go beyond this with a piece of statute?

SENATOR CARPENTER: You're asking a question that the Attorney General helped at my request to write this amendment. But I don't know. I'm not a lawyer and if you can't do it I don't want to do it and if we can do it I want to do it and only for the purposes expressed. If you want to go to the Attorney General and say, can we do it, go ahead. He told me we could. Maybe he was wrong.

PRESIDENT: Now is there any further discussion of the Goodrich amendment? Senator Nore.

SENATOR NORE: I would, Mr. President, I'd like to ask a question of Senator Carpenter.