

legal twilight zone. Revocation will follow due process. Now, for the members, the bill now by the rejection of the committee amendments is in the form that the bill was brought to me by the Crime Commission. Now for all practical purposes, the section that was in question is Section 5. In the original bill, Section 5 strikes "revoke such certification when a law enforcement officer is convicted of a felony." The bill in its original form as it was brought to us says, "Have the power to revoke such certification at any time" and, again, it is not mandatory. The commission has the authority, and I assume, based on the language of the bill and their comments to me, that they wanted some flexibility in the way that the particular statute read at the time. With that, I would urge your support for the bill.

SENATOR MOREHEAD: The Chair recognizes Senator Landis.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, it seems to me that the vote that was just taken was actually a plebiscite on the question of discretion versus mandatory, and that the body was signaling its thought that law enforcement officers, perhaps inconsistent with recent actions elsewhere, but law enforcement officers who are convicted of a felony should suffer the loss of their job, and that the act of discretion probably is unnecessary or offers as much opportunity for mischief as the mandatory provision has the other way, that the choice is for mandatory firing in the situation, of the revocation of the certificate, and it seems to me that before we advance the bill, we need to remember that the bill is still in a discretionary form because of the way it was introduced. To be consistent with what I think was the floor action, an additional amendment is necessary for this bill. It doesn't mean that we can't change our mind in 30 seconds. It is possible. We have done it before, but if one is trying to read the sentiment of this body at this point, I think that the rejection of the committee amendments stood for the proposition that these certificates should be mandatorily claimed back and the bill does not comport with that now. To advance it is to simply fail to do the homework to read the green copy to realize that what we accomplished by the rejection of the committee amendments is accomplished in the green copy of the bill, and the will of the body is being frustrated to advance it at this point without additional amendment.

SENATOR MOREHEAD: Before we proceed with debate, I would like