

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

June 2, 2005

LR 98, 182

taken. Then there comes, if necessary and if appropriate, the articles of impeachment, which is a separate resolution that outlines the reasons for an individual to be impeached, which Senator Chambers has accurately outlined, which is a process in which you impeach the individual, you preclude them from doing their duties until the Supreme Court can be convened to determine whether or not that individual is guilty of the actions committed and should be removed from office. Those options are still on the table. If Senator Foley's amendment does not get adopted, those options are still on the table. So somehow the idea that if the Foley amendment is not adopted that we are somehow limiting ourselves, I don't believe that's accurate, I simply don't. And short of the discussion that we had in the Exec Board, we never got an answer to a question that I had about what power the Executive Board of the Legislature has to pursue this on their own in the event that this resolution doesn't pass, and I would argue I would think that we had the responsibility as an Executive Board to act in a way that is according to the interest of the Legislature when the Legislature is not in session. So those options are still all on the table. Here's what the Foley amendment does, and I believe that it is appropriate. It allows the body to make a decision and it allows the body to make a decision in a timely manner that says, is what Mr. Hergert did wrong, which he has already admitted and which the resolution then would say, if so, we should ask him to resign--plain and simple. It still leaves all the options that Senator Beutler has placed in LR 182 and that the Judiciary Committee has been asked to decide or to investigate. In addition to that, I would argue that the Exec Board still has the authority to decide whether or not we would pursue other actions beyond that. So we're not limiting anything. We're clarifying what the body can do at this point, what the body is willing to do. Now, if there are enough votes, if all 28 individuals that signed onto the resolution would like to support the resolution in the green copy, without amendment, again, that's the prerogative of the body. But somehow the idea that what we're doing today simply limits any option that we have is not true. It simply is not. The fun part or the lack of fun in this proposal is that we are asked to do something that individuals should have done on their own, and that is to be accountable. And I think the body is generally in support of