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not try...I'm not here to convince you one way or another. I honestly don't believe we're going to change anyone's opinion at this point. I think we're building a record, and I think that's appropriate because this is going to be a judicial proceeding, and that is appropriate. But as I sit back and I look at the information, the 505 pages of the report, Senator Chambers...

SENATOR CUDABACK: Time, Senator Erdman.

SENATOR ERDMAN: Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Erdman. Senator Flood, followed by Senator Schrock and at least 20 others.

SENATOR FLOOD: Thank you, Mr. President and members. The first thing I want to address is the gravity with which this very issue before us today has and should have for all of us. This is a very solemn decision, and I, quite frankly, take exception to the statements that may be made or maybe have already been made that we are doing this lightly. When I received Senator Chambers' memo in late August, I read it cover to cover. I read it and I researched it. Middle of September, I spent three nights in my basement reading through cases, checking his cases, checking his cites, and I drafted my own 15-page brief to counter what Senator Chambers had asserted in his, that we could impeach someone for acts prior to taking office. And in my brief, which I believe all of you have a copy, on page 2 I said, the Chambers treatise addresses several legal issues pertaining to the authority of the Legislature to impeach Hergert under Article IV, Section 5 of our constitution. Chambers clearly makes his case that misdemeanor in office includes nonindictable conduct. I reluctantly also served on the LR 98 Hergert committee. I looked at the State Patrol report, I looked at the law, and at the end of the day I read Mr. Mock's brief. And I appreciate what Mr. Mock did. In fact, his brief helped me make my decision. I didn't ask Mr. Mock to spoon-feed me. I asked him to give me his analysis of the law so that I could look at it and make my own decision, and I did that. On page 24 of Mr. Mock's brief, he makes the case and he says that the evidence is at least clear and convincing that Hergert knew the information was false at the time he filed his January 11, 2005,