

May 4, 1973

different times, one of which there's an amendment to. The first amendment--we have two copies of the same amendment and then one of them has a note written on it. His first amendment is--reads.

SENATOR CARPENTER: Now I have an amendment to his amendment which he has agreed to which I'd like to have the clerk read that.

CLERK: Okay, then that's the amendment on the bottom here which--this in the bottom, right? Reads.

SENATOR CARPENTER: If Senator Goodrich has no objection, I think I can speak for both of us. All we have in the bill now outside of the committee amendments is this language because we have put back into the bill all the stricken matter. In other words, the law as it now is is still in there. Now the only change we have is on page 5 line 10 and this is the only change in the bill as I understand it and I read: "No member of the Legislature shall be liable in any civil or criminal action whatever for words spoken when conducting an investigation authorized by the Executive Board". Now the reason for this, I talked to the Attorney General one day and he said that the members of the Legislature are not protected from libel action except on the floor of this Legislature and I thought that was rather a bad predicament to have us in because when you hold these hearing, interim study or other things, under this bill if you adopt it as it's recommended by Goodrich amendment, recommended by mine, it would say that whether you're in here or in an Interim Study Committee you are protected from the laws of libel. Now if you don't want that protection, why you might just kill the bill. As far as I'm concerned I wouldn't go out of the door of this Legislature without the protection of libel, maybe you want to do it. You can get yourself in a bind and get constipated very easy.

PRESIDENT: Senator Goodrich, do you care to respond? Well, then what? We will need to adopt the Carpenter amendment to the Goodrich amendments. We have before us, Senator Whitney, we have actually before the body the Carpenter amendment to the Goodrich amendments to LB 485.

SENATOR WHITNEY: Did I understand Senator Carpenter correctly that he would reinstate that portion in the Goodrich amendment? Those lines 10 to 13 will be reinstated? That last sentence?

SENATOR CARPENTER: No, what we've done, Senator, where the stricken matter is which is the old law we reinserted the stricken matter to leave the law as it now is. The only thing the bill does in my judgment, on line 10, line 10 through line 13 that's the only new matter in the bill and that's all the bill does now. It protects members of this body when you're in interim study committees, out of this floor from the protection of libelous action.

SENATOR WHITNEY: In other words, Senator Goodrich's amendment strikes every other new portion in the bill and you're reinstating lines 10 to 13.

SENATOR CARPENTER: That's right. Just the protection from the libel action that's all that's in the bill.

SENATOR WHITNEY: Yes, I feel that should be necessary.

SENATOR CARPENTER: That's all the bill does.

PRESIDENT: Next is Senator Snyder. We're still speaking on the Carpenter amendment to the Goodrich amendment to 485.