

May 4, 1973

SENATOR SNYDER: Mr. President, members of the body, this bill came up a while back. I too went to the Attorney General and in a verbal opinion he said essentially what Senator Carpenter said that probably we are only immune so long as we are in session here in the Legislature. But I have got to question whether or not we want to give the elected membership of the Legislature total immunity from libel every day of the year. Now being here I, at first glance I kind of liked the idea, to think that I could say about anything I wanted to without fear of being held responsible and being taken to court possibly. But I can see where in the heat of debate on issues of the Legislature that it's possible that we're all human and we do sometimes say possibly some things which on another time and point we would not have said and especially in the like manner that they are sometimes said on the floor of the Legislature. But I think that if we say that you have total immunity for every day that you're in office, we are giving a license to some people that might be detrimental to the State. I think that it might be, if it goes through as I read 485 I have a fear that a Senator at any point in time could carry on a witch hunt without really being held responsible. Now you know that those who are in public office oftentimes do have the advantage of being able to say something that is not argued against and even if there is an argument in return it is not given the same play as the original statement. I do have brief fears of this privilege being misused. I can just see down the road somewhere where again we are representative, although the public sometimes doesn't think it I guess, but we do, we represent this State of ours and the people that make up the state. I'm just afraid that there is, if you will, a bit too much protection here that a person could in fact carry on a witch hunt and not be held accountable.

PRESIDENT: Senator Warner. Senator Warner's passing. Senator Goodrich is next then to be heard on the Carpenter amendment to the Goodrich amendments.

SENATOR GOODRICH: Just a matter of clarification. Senator Whitney, if I could have your attention for a second, I just wanted to clear up a point that you stated and I don't think you really meant it the way it came out but you said that my amendment was reinstating, or striking all the new matter in the bill. It is not dealing with anything on new matter except on line, excuse me on page 5. So any other new matter in the bill would not be affected by my amendments at all.

PRESIDENT: Okay. Senator Syas, did you wish to be heard now? The Carpenter amendment to the Goodrich amendment is all that's before the body.

SENATOR SYAS: Well, Mr. President, the opposition I think to this bill, I think we should be protected for what we do in committee hearings. A person can always slip, we're on State business. We never want to protect ourselves. Now we just got through in this Legislature and most of you eagerly jumped into the water without knowing how deep it was and the opposition to this bill was one of the prime movers of trying to get that bill enacted. We gave the press immunity in court but we don't want the same immunity and we're elected and to represent people. Now just where does the sense stop-- start and nonsense stop.

PRESIDENT: Now any further, Senator Chambers.

SENATOR CHAMBERS: I promise to be very brief, Mr. President, but I just want to say that the immunity is needed and I doubt that members of committees, and you know in here that I have my criticisms of the Legislature and of various legislators on occasion but I don't think so far even with the opinions that I express from time to time that the Legislature and members