

May 4, 1973

The amendment is adopted. Now we have the Goodrich amendment as amended by the Carpenter amendment. Do you need it read? Senator Goodrich, what is your pleasure regarding your amendment now as it has been amended by the Carpenter amendment? Do you want it read?

SENATOR GOODRICH: Yes, let's read it as it is now so that everybody has a clear idea what it is and then let's adopt it.

PRESIDENT: Let's try it.

CLERK: Here's the Goodrich amendment. Reads.

PRESIDENT: Senator Goodrich.

SENATOR GOODRICH: Now just for a summing up of what it, where we are right now. We are at a position where we haven't changed the bill much except the new matter that Senator Carpenter's amendment leaves in the bill and that is that any one of us while we are working off the floor in an investigation or an interim study committee of a standing committee or a special committee can then be completely free of having any libel action brought against us as a result of anything we have said. Right now, you are immune from liability when you are on the floor of the Legislature. When you get outside the Legislature, you are liable for anything you say that is not the fact or if somebody brings a charge against you or files a suit against you they can collect from you if what you have said is not true. With this bill, the way we would, if it gets adopted would give us immunity not only on the floor but while we are off the floor, anywhere we wanted to be in the State for whatever we said as long as we are conducting an investigation or an interim study committee type of action, either from a special interim study committee or a standing committee.

PRESIDENT: Is there any further discussion now of the Goodrich amendment? Senator Cavanaugh.

SENATOR CAVANAUGH: Yes. Mr. President, I'm not sure that I have this clarified. Perhaps Senator Carpenter, would you reply to a few questions?

PRESIDENT: Senator Carpenter, do you yield to a question?

SENATOR CARPENTER: Yes.

SENATOR CAVANAUGH: Is it your understanding, Senator Carpenter, the way the amendment presently is constituted that this immunity would extend to us individually outside of for example formal committee sessions?

SENATOR CARPENTER: No, it would only affect you during the time you were a part officially of a committee which holds an interim study or any type of an investigation authorized by the Legislature outside of this room.

SENATOR CAVANAUGH: Well, what is your understanding of a part of a committee? I mean, does that extend beyond when the committee is in session?

SENATOR CARPENTER: No.

SENATOR CAVANAUGH: So when the committee is sitting as an investigative committee that is the only time that you feel that this immunity would apply?

SENATOR CARPENTER: That's exactly so. That's the only intention I have.

SENATOR CAVANAUGH: I'm not sure that that language achieves that.