

1 concerned with here is only removing from office a person
2 who has demonstrated that he is misusing the office or
3 not performing the duties of the office. If these
4 principles are correct, would it not be proper to limit
5 impeachment to cases of misconduct in office? This
6 would mean that you would not remove a governor who was
7 guilty of some other offense, petty larceny or even
8 larceny if it didn't involve the state funds, but his
9 punishment for that offense would be left to the law
10 just as that of any other citizens and his removal by
11 impeachment would be limited to misconduct in office.

12 This suggestion has its limitations because
13 you could then continue in office a Governor who was a
14 convicted thief. But I suggest to you that if so, and
15 he was sentenced to imprisonment, he could probably be
16 impeached for failing to perform the duties of
17 his office.

18 MR. MITCHELL: I believe you said misconduct.
19 I am also concerned in this process of no conduct. It
20 is not doing the job.

21 THE CHAIRMAN: I think misconduct in office