

March 29, 1973

SPEAKER: We have no motion. Senator Stahmer.

SENATOR STAHMER: I move to bracket the bill until next Monday, or, correction...until we get an opinion from the Attorney General that I will request.

SPEAKER: Senator Barnett, do you have any...apply to that.

SENATOR BARNETT: Mr. President, I would object to that and hope that you'd get that down. Instead of doing that, instead of hindering Senator Marsh's bill, I would tell you what I would like to do and if it would meet with your approval, it would meet with mine...would be to withdraw my amendment and get your questions answered and then I would try to add it on in Select File, unless the body would be in disagreement with this because I don't want to hold up her bill if she has an opportunity to get it advanced.

SPEAKER: All right. Senator Clark.

SENATOR CLARK: I wonder if I could ask Senator Marsh a question about the bill.

SPEAKER: Let's get this resolved on the amendment. Senator Barnett is asking unanimous consent to withdraw his amendment at the present time. If the bill has enough strength to advance, it will be advanced and then he will come back in with his amendment after checking it out at some other time. Now, Senator Barnett.

SENATOR BARNETT: See that this is printed in the Journal so that everybody knows. ...I don't believe it was before. I don't believe that I requested that so I would request that at this time.

SPEAKER: The clerk will print your request in the Journal, won't you, Mr. Clerk. Now, Senator Clark, it's Senator Marsh's turn to....Senator Kelly.

SENATOR KELLY: I object to the unanimous withdrawal of the amendment.

SPEAKER: You are too late. Senator Clark, now, I don't believe Senator Marsh has exp...did you explain this bill on another legislative date, Senator Marsh. Have you explained the bill?

SENATOR MARSH: Yes.

SPEAKER: All right. Senator Clark.

SENATOR CLARK: Well, I just wanted to ask her a question about it. I am certainly not against the bill. Now, I remember in 1937 when I was a Deputy Sheriff and I went out on an accident where a car had hit a little kid and the bicycle had come around and hit him in the stomach and he had a strangulated hernia. Now his folks, his father would not let the child be operated on. Now is this bill going to allow such a thing?

SENATOR MARSH: This comes under an entirely different section when it's the matter of life and death. The Court has the ability to take the guardianship of that child away from the parent for purposes of life saving reasons. This is not under this section of the law.

SENATOR CLARK: I would hope that you understand that the Courts don't operate quite that fast in this state or any other state within an hour, and this boy died because his folks would not let him be operated on. By the time they did, he died on the table. This has nothing to do with this at all.