

March 29, 1973

SENATOR MARSH: No sir. It would be in another section.

SENATOR CLARK: To me, that's just murder.

SENATOR MARSH: I happen to agree with you.

SPEAKER: Senator Kelly, I didn't want to summarily shut you off. I thought that Senator Barnett had asked for unanimous consent and I waited and didn't hear an objection. Now, if you still feel strongly about that, you can put the motion. I don't want to be arbitrary up here.

SENATOR KELLY: Now, this has brought a whole new dimension to this bill to me that was not in my mind until Senator Barnett's motion came up, and I'm sure that it's going to be heard plenty. I just thought that bracketing it on General File was the best way to go. I agree anyway we go.

SPEAKER: Senator Barnett can still do this if he has the number of votes and that's what he would like to do. Senator Marsh.

SENATOR MARSH: I would like to move for the adoption of the amendment and may I ask the clerk to read the amendment again.

CLERK: Read amendment.

SPEAKER: Do you care to explain, Senator Marsh?

SENATOR MARSH: Simply that this is the compromise amendment so that all the parties, hopefully, in this legislative body will see fit to pass this bill now from General File to E & R Initial. I move for the adoption of the legislative amendment to bill 207.

SPEAKER: Senator Richendifer, then Senator DeCamp.

SENATOR RICHENDIFER: Mr. Chairman, members, I support this amendment. What it does is it takes out a flagrant report of child abuse where you might get some neighborhood gossip and possibly ruin the reputation of people involved just facetiously. This amendment improves the bill tremendously.

SPEAKER: Senator DeCamp.

SENATOR DeCAMP: Mr. President and members of the Committee, I want to see the bill passed but I don't think this amendment does what it's suppose to do and I had better give you the history of what happened in Committee. This is one of the most studied bills in our Committee, and the problem that developed in the bill was that as it exists right now without Senator Marsh's amendment, it opens it up so that anybody, a seven year old child for example, could call in anonymously on the phone and make a report and then, necessarily, investigation would have to follow. This is not.. not something where there is some option. It's mandatory that investigation would have to follow. Reports would go all the way up and it became a tool for immense abuse if it were wanted to be used that way. So we did adopt three amendments in Committee that would have solved the problems and still retained the benefits of the bill and these three amendments are in your bill book. The first of them makes it so that the anonymous person has to identify themselves. The second makes it, I think, so that they have to...let's see, the first one makes it so that they have to identify themselves. The second amendment is to the effect that... well, it brings...it does essentially the same thing. You have identification of parties and then you don't have investigations unless there is something warranting the investigation. Now what Senator Marsh's amendment does, it only makes it after the anonymous phone call has occurred and an investigation may have followed, if after all this, a determination is made that it was frivolous, then they don't send the report on up to the state, but all the damage has