

SENATOR STONEY: Mr. President and members of the Legislature, I rise in opposition to Senator Koch's proposal to amend this bill. As a member of the Judiciary Committee the amendment was one of the reasons that I was able to support this proposal. I think that there are a number of reasons that it should be retained at age 70. Senator Nichol, in his opening remarks made one of the most important reasons, that is for uniformity and consistency, since we have altered the laws federally to require mandatory age for retirement at age 70. Another reason would be that these individuals are looked at as a special class. I think there are many people that are retired, that are age 65, that feel that they have many things yet to contribute in the years that they have. I think it is a disfranchisement by reducing this and not allowing these individuals to participate in this particular form of government. At the present time, if the amendment were adopted, all an individual would have to do is to prove that he or she is age 65 and they would automatically be excluded. It is my understanding through the jury process in selection of jurors that an individual if for one reason or another, health, whatever it might be, can make that fact known, that can be taken into consideration and the final determination or judgment made as to whether or not that individual would be selected as a juror. So I think it can be self-defeating for some individuals that are retired, that would like to continue to make a contribution to their community, to their state, by serving on a jury, and I think that by reducing it to age 65 and just saying that an individual because of that age would no longer qualify, is not fair and equitable. So I would have to oppose the amendment.

SPEAKER MARVEL: Senator Marsh.

SENATOR MARSH: Mr. Speaker and members of the Legislature, I rise to oppose the amendment offered by Senator Koch. I have had a number of senior citizens in the 29th Legislative District contact me to say, we would like to have the opportunity to serve on juries. I found it was a delightful experience to have one 70-year young gentleman say with a real sparkle in his eye, if I got in trouble, I would like to have the jury be a jury of my peers, and if we would pass this proposed amendment, that individual could not have a peer on the jury. I urge you to reject the proposed amendment. There still is a method for someone who is not in good health to be excused from jury duty, but do not take that responsibility away from those who would like to make themselves available for it. We say that 70 is an age where someone has to retire. Do not