

March 25, 1976

SENATOR CHAMBERS: Senator Luedtke, while they are looking for that, could I ask you a question? Do you follow what I am saying?

SENATOR LUEDTKE: Yes, I think I understand what you are saying. The clarification is that you want to make sure that it's as broad before the panel as it would be before the court of law so that they are listening to the same evidence because that panel is going to decide whether there is genuinely malpractice which is a factual determination. They are not going to be determining legal questions anyway. They should be citing them on the same facts. That's what you're saying.

SENATOR CHAMBERS: Right, and does that seem reasonable to you?

SENATOR LUEDTKE: It does to me unless I do not understand, unless I did not understand the meaning of the proponents on this. I understand what you're saying.

SENATOR CHAMBERS: Okay, thank you.

PRESIDENT: Senator DeCamp.

SENATOR DECAMP: Mr. President, just going through these one by one, pages 18 and 19, strike subsection three. Now it was my understanding that Senator Chambers reason for doing this was to eliminate the ten days question over which there was some controversy. Is that correct or not?

SENATOR CHAMBERS: Correct.

SENATOR DECAMP: I think it would be very reasonable if that's what you want to do, to do exactly that, which is take out at least ten days. I don't think you should be striking the whole subsection because that deals with information that's going to be in the petition. If you do want to do that, I for what little bit of influence I could have on it, would encourage them to go that way but only if you would do exactly what you wanted to do originally which was to eliminate at least ten days.

SENATOR CHAMBERS: Because that is all I want to do, and I don't think the extra words will hurt anything, is is all right for me, since the bill hasn't been returned yet, could I reword that amendment to say that it will strike only the words, upon ten days notice to the other side?

PRESIDENT: Mr. Clerk, can he do that? All right, Senator Chambers.

SENATOR CHAMBERS: The first portion of that first amendment, instead of striking all of section 3, just strike the words, this would be in line 25, page 30, wait a minute...where are we. I thought that didn't sound right. Okay, on page 18, line 26, strike these words, at least ten days before filing. Instead of all of section 3.

SENATOR DECAMP: Okay, the next thing you have, you have page 30, line 19, after evidence, add, in a court of law. That's what's intended anyway, so if you want to put that on, fine, go ahead.