

of your time. Looking at your amendment, it seems as though if we adopt your amendment, then the language would read as follows: "Nothing in this act shall prohibit a court of record after a hearing and for good cause arising from extraordinary circumstances being shown from ordering the disclosure of such proceedings, minutes, records, reports, and communications." What kind of extraordinary circumstances were the dentists thinking of or the attorneys thinking of, Senator Peterson, do you know?

SENATOR R. PETERSON: Well, Senator Johnson, the one that I just related to was one extraordinary circumstance if a witness happened to die and the only way to get the information to serve the ends of justice would be to subpoena the peer review board would be one instance.

SENATOR V. JOHNSON: And that is the only one that you know of offhand?

SENATOR R. PETERSON: Yes.

SENATOR V. JOHNSON: Well, my only problem with the amendment is, and I am kind of meditating on it, whether to vote for it or against it, is that it is a very heavy standard. The words that Senator Peterson wants to insert really would seem to me to make almost unavailable to any litigants in a court proceeding records from the peer review proceedings because it would seem to me that extraordinary circumstances are not very ordinary circumstances and are not the kind of things that you are going to find happening too very frequently, so by and large it would appear that if we adopt that particular amendment that the underlying data from peer review proceedings effectively would not be available to litigants who were brought actions from malpractice or other kinds of improper conduct by a dentist, and I am inclined to think that would be a bad policy. I think that we ought to at least allow persons the ability to get after those records for good cause being shown which is what Senator Peterson did in his initial amendment. I don't think that we ought to literally lock up the records though and throw away the key which is I believe what his proposed amendment would do. For that reason I am going to oppose the proposed amendment and would suggest that the body do the same.

SENATOR CLARK: Senator Peterson, do you wish to close?

SENATOR R. PETERSON: Mr. Speaker and fellow colleagues, this bill would not restrict the introduction into evidence of documents available for ordinary sources which were presented to the peer review committee like dental records from