

exception and I guarantee you, if you really want this bill and if you want to do something to start for the first time dealing with abuses for the elderly, you'd better accept the amendment or you are tantamount to killing your own bill.

SENATOR CLARK: Senator Haberman.

SENATOR HABERMAN: Mr. President, members of the Legislature, I oppose the amendment because if you want to destroy the child abuse, the bill that we passed and if you all remember the little picture, the pictures of little Bobby I passed around, if you want more of that, then pass this amendment. I would like to read for you the law, Section 28-716: "Persons participating in an investigation or making report immune from liability, civil or criminal, any person participating in an investigation or the making of a report pursuant to the provisions of the Sections 28-710 to 28-717 or participating in a judicial proceeding resulting therefrom shall be immune from any liabilities, civil or criminal that might otherwise be incurred or imposed except for maliciously false statements." They are now protected under the law and if you pass this amendment you are going to blow the whole thing. And if you remember the child abuse bill that we passed three years ago, fell under this. It is not just elderly abuse, it is all kinds of abuse. Now who knows better about abuse than a doctor? He sees it. I know a school nurse that sees it and reports it when she sees it and a lawyer knows about it and a priest knows about it. They are protected from the law so if you want to blow the whole thing, then pass the amendment but if you want to do something for the elderly and you still want to keep the child abuse in, then defeat the amendment and pass the bill. Thank you, Mr. President.

SENATOR CLARK: Senator Fowler.

SENATOR FOWLER: Mr. President, I rise to agree with Senator Haberman on this issue. I think that to get certain professions, in fact, I'm kind of appalled at these professions really. I don't think it is such a sacred privilege that we're dealing with as much maybe as a matter of convenience but if we're talking about abuse of the elderly and then to say that physicians who are actually the ones that probably most likely, I think we really ought to talk about the physicians. The clergy and lawyers I don't think is a big concern here but if you take the physicians out of this bill those who are most likely to see a senior citizen who has been abused, and it is amazing when you talk to people who work in this area, the type of abuse that, in fact, has gone on. I think it is almost impossible to imagine that even