

physicians of the people who have access to this type of information there should be a legal duty on physicians to report and I think it is incredible that we repealed that duty. I think it is time to kill the bill.

SENATOR CLARK: Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, I have sat silent on this particular issue up until this point in time and the more I listened the more I disliked the bill and curiously enough the reason that I have grown to dislike it more and more is not because I am worried about the lawyers or the medical people or the clergy who all have their lobbyists out here in the lobby but because this kind of a bill extends the principle of making potential criminals out of each and every person in this society despite the fact that they take no positive action whatsoever. They are walking around one day. They see something happen, they could be a criminal if they don't report it. I want to point out to you that in the two-hundred year history of this country we have rarely made it a criminal offense not to report a crime. Let me point out to you that for the crime of murder to my knowledge, there is no criminal penalty for not reporting a murder if you see it. There is no criminal penalty to my knowledge for not reporting a rape if you see it. There is no criminal penalty to my knowledge for not reporting robbery, aggravated assault or any number of other crimes that are potentially more serious than negligent child abuse, negligent abuse of the elderly or even some of the intentional abuses that may pertain to children or to the elderly. We are crossing over a very important line. We crossed over that line when we adopted the child abuse section, the line that makes it a criminal offense not to report. I think that was a big step and I think that is as far as we should go unless there is a really significant reason for proceeding further. I had an open house the other day and I asked some of my people about this particular bill, whether they should be required to report. You know the bill says everybody has to report, any other person, not just doctors, lawyers and clergy, everybody has to report. And I said to my people, should I require that you report? And one elderly lady, she shook her head a little bit and she said, "Well, maybe it would do some good." But she said, "Now how do I know for sure if I see somebody spank somebody or if I see somebody grab somebody by the arm or if I see somebody talking to somebody in a certain way, how do I know for sure if I should report? How do I know for sure what is necessary food, shelter and care?" Any you know she didn't say it very articulately but I think that is an important point. How do you know? And if the county attorney gets mad at