

Senator Corbet stated he hoped the members were not equating abortion with birth control as that was not his understanding of the bill. He did not favor abortion but felt this bill was an attempt to change some of the practices of the past whereby birth control information was not available. He further stated that his vote killed the abortion bill in Committee two years ago and he still feels the same way but sees a difference in the Supreme Court Ruling and this bill before the Committee. He stated the Legislature should be one of action and not reaction. He also stated that while he did not wish to court trouble with the Arizona Republic he did not agree with their article in the morning paper.

Senator Alexander stated that the Federal Government (Health Education & Welfare) has already issued guide lines for block grants and that family planning plays a big part and this should be considered as Arizona will be affected eventually. He stated that he felt the time has come when the Committee should adopt a statewide program providing for limited family planning. He stated he does not advocate the State providing abortions.

Senator Runyan moved an amendment to his original amendment on page 2, line 2, strike "OR MOTIVE". A vote was taken on the entire amendment and carried.

Senator Runyan moved to amend the bill on page 2, line 19, after "SERVICES" insert "EXCLUSIVE OF SURGICAL PROCEDURES EXCEPT WHERE REQUIRED FOR DIAGNOSIS". This motion carried with Senators Camping and Roeder voting no.

Senator Runyan moved to amend on line 21 after "PARENT" by inserting the words "IS OBTAINED" and striking the remainder of the paragraph.

Mr. William Carter of Maricopa County Health Dept. and Mr. Joe Davis of Phoenix Planned Parenthood both spoke against this amendment.

Senator Roeder stated the amendment would do away with the basis of the bill and that is why he felt the Committee should put the bill aside and re-do it in order to have something the people of Arizona could live with.

Dr. William Russell stated it was the minors they were trying to help and the need was now.

Senator Runyan stated he was aware of the problem but that he had a moral problem in that he felt the bill was one more step in breaking down the family unit and he could not see taking control of minors away from the parents.

Senator Corbet stated he felt very strongly about the family as a unit but that something had to be done. Dr. Russell stated that the minors most doctors were seeing had already strayed and that it was not the family that got pregnant. Senator Camping stated that maybe these youngsters had never heard that it was wrong.

Senator Gutierrez stated that the amendments being offered in the bill were not going to change the family situation, those parents with control of their children would still have control. Dr. William Moore said the Committee might want to substitute the word "contraceptive" for family planning. Father M. Calegari called attention to two contraceptives already on the market.

Senator Alexander offered a substitute motion to Senator Runyan's, to insert the words "DESIRABLE WHERE POSSIBLE BUT" on line 22, after the word "IS.", this motion carried with Senator Runyan and Camping voting no.

JOURNAL OF THE SENATE, THURSDAY, MAY 9, 1974, ONE HUNDRED SIXTEENTH DAY

Ayes 29: Alexander, Baldwin, Camping, Corbet, Ellsworth, Felix, Gabaldon, Gutierrez, Hardt, Holsclaw, Hubbard, Koory, Kret, Lena, Mack, McNulty, O'Connor, Osborn, Roeder, Rottas, Runyan, Stinson, Strother, Strump, Swink, Tenney, Turley, Ulm, President Jacquin.

Not voting 1: Pena.

House Bill 2079 was signed in open session with the emergency and returned to the House.

HOUSE BILL 2116

An Act relating to education; defining the rights of parents and guardians of school children to examine pupil records; providing for certain filing of transcript of change of boundaries of new school districts, and amending title 15, Arizona Revised Statutes, by adding chapter 1.1.

Ayes 26: Baldwin, Camping, Corbet, Ellsworth, Felix, Gabaldon, Gutierrez, Hardt, Holsclaw, Hubbard, Koory, Lena, Mack, O'Connor, Osborn, Roeder, Rottas, Runyan, Stinson, Strother, Stump, Swink, Tenney, Turley, President Jacquin.

Noes 3: Alexander, McNulty, Ulm.

Not voting 1: Pena.

House Bill 2116 was signed in open session with the emergency and returned to the House.

SENATE BILL 1245

An Act relating to education; prescribing certain additional powers and responsibilities of the board of regents relating to educational institutions; authorizing the Arizona Board of regents to remodel the stadium at the University of Arizona and acquire, construct, equip, furnish and maintain an addition thereto and enter into projects for other purposes for which revenue bonds may be issued by the board of regents for any of the universities, and for those purposes to accept gifts, to borrow money and issue bonds, to refund bonds heretofore and hereafter issued for such educational institutions, to provide for the payment and security of all bonds issued hereunder, and to perform necessary or convenient acts in connection with such projects; superseding inconsistent provisions of all other laws; prohibiting certain abortions at educational institutions under jurisdiction of board of regents; amending title 15, chapter 7, article 2, Arizona Revised Statutes, by adding section 15-730, and declaring an emergency.

Ayes 20: Camping, Corbet, Ellsworth, Gabaldon, Hardt, Hubbard, Koory, Lena, Mack, McNulty, Osborn, Rottas, Runyan, Stinson, Strother, Swink, Tenney, Turley, Ulm, President Jacquin.

Noes 9: Alexander, Baldwin, Felix, Gutierrez, Holsclaw, Kret, O'Connor, Roeder, Stump.

Not voting 1: Pena.

Senate Bill 1245 was signed in open session with the emergency and transmitted to the Governor.

RECESS

At 5:31 a.m., the Senate stood at recess subject to the sound of the gavel. The President called the Senate to order at 9:10 a.m.

MESSAGES FROM THE HOUSE

Messages from Chief Clerk K. E. Betty West advised that on May 10, 1974:

The House acceded to the request of the Senate in the matter of disagreement on Senate Bill 1283, natural resources coordinator, and appointed Members T. Goodwin, Kelley and Dewberry as a free conference committee.

The House concurred in Senate amendments to the following bills and passed on final reading as amended by the Senate:

impair or invalidate the remaining provisions thereof, but shall be confined in its operation to the specific provision or provisions so held unconstitutional or invalid, and the inapplicability or invalidity of any section, clause, sentence or part of this act in any one or more instances shall not be taken to affect or prejudice its applicability or validity in any other instance.

Sec. 14. Supplemental nature of act; construction and purpose

The powers conferred by this act shall be in addition to and supplemental to the powers conferred by any other law, general or special, and bonds may be issued under this act notwithstanding the provisions of any other such law and without regard to the procedure required by any other such laws. Insofar as the provisions of this act are inconsistent with the provisions of any other law, general or special, the provisions of this act shall be controlling.

Sec. 15. Title 15, chapter 7, article 2, Arizona Revised Statutes, is amended by adding section 16-730, to read:

15-730. Abortion at educational facility prohibited: exception

No abortion shall be performed at any facility under the jurisdiction of the board of regents unless such abortion is necessary to save the life of the woman having the abortion

Sec. 16. Emergency

To preserve the public peace, health and safety it is necessary that this act become immediately operative. It is therefore declared to be an emergency measure, to take effect as provided by law.