



Effort to keep Schiavo alive falters in Senate

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House, Senate disagree on how to intervene in Schiavo case.

TALLAHASSEE - Worried that they were violating Terri Schiavo's true wishes, lawmakers in Tallahassee refused to pass a bill that might have maintained her feeding beyond a deadline today.

With state and federal courts also refusing to intercede, and the U.S. Congress at a stalemate, the end of Schiavo's 15 years in a vegetative state sustained by a feeding tube may arrive today at 1 p.m. with a judge's deadline to stop the feeding.

they did not want that to occur.

"The court (ruled) that somebody should die," said Rep. Dennis Baxley, R-Ocala, the sponsor of House Bill 701.

"Government is taking that life, do you understand? If public policy allows the government to order the death of a mentally disabled person, to be starved to death, then that law is defective. And we're here to cure that defect."

But the state Senate, less conservative and less willing to intercede than the House, angrily defeated a slimmer measure 16-21 that would have required a judge to review cases of vegetative persons to see if they had indicated clearly that they would not want "hydration and sustenance" in that state.

The sponsor of Senate Bill 804, Sen. Dan Webster, R-Winter Garden, said he was frustrated fellow Republicans abandoned his bill. He acknowledged the odds of interceding were almost nonexistent.

But in Washington, D.C., despite the passage in both the House and Senate of bills that would order a federal judge to review the case, it was unclear that enough House members would be available to approve the Senate version.

Whether President George W. Bush will have an opportunity to sign a law enacting that review wasn't clear, but his feelings were. "(I)n instances like this one, where there are serious questions and substantial doubts, our society, our laws, and our courts should have a presumption in favor of life," Bush said in a statement.

The Florida Supreme Court denied a plea to intervene on Thursday. And Circuit Judge George Greer in Pinellas County denied the state's effort to intervene the same day.

Schiavo's parents asked the U.S. Supreme Court on Thursday to maintain the feeding as well. The court denied the request.

Gov. Jeb Bush acknowledged Thursday that state legislation to intervene was halted. "The bill is certainly not dead, but it does appear that they're having some difficulty," Bush said.

Schiavo suffered severe brain damage in 1990 when her heart stopped because of a chemical imbalance, and court-appointed doctors say she is in a persistent vegetative state. Her husband, Michael Schiavo, says she told him she would not want to be kept alive artificially. Her parents dispute that, and say she could get better.

Florida lawmakers passed a bill in 2003 that gave Jeb Bush the power to order her feeding to be continued, but the state's Supreme Court ruled that bill was unconstitutional last year.

Courts have studied the issue for years and have consistently sided with Michael Schiavo, despite international campaigns from conservative groups to demonize those supporting the court's contention that Schiavo would have wished to end the feeding.

Doctors have said it could take a week or two for Schiavo to die once the tube that delivers water and nutrients is removed.

The issue engulfed the state Capitol this week, with emotional debate and desperate measures. Despite protests from House Democrats that the bill would allow the law to supersede a family's unanimous wish to allow a person in a vegetative state to die with dignity, House Republicans carried the day with an appeal to life.

"Schiavo's) mommy and daddy and her family want her to live," said Rep. Aaron Bean, R-Fernandina Beach. "If we don't vote yes then the implication is somebody is going to die."

But the Senate, with a bipartisan bloc, killed the measure without even allowing the general courtesy of waiting until the bill's final hearing today.

Sen. Mike Bennett, R-Bradenton, voted against the amendment because he believed it could interfere with end-of-life decisions he made with his wife. "I don't want my sister overriding my wife," he said.

He also said he feared the legislation would allow outside groups to intrude on family decisions. "Who are these people who could interfere in my life?" he asked.

A group of nine Republicans joined 12 Democrats in killing the plan. Eight of the nine female senators voted against the proposal, with the exception of Sen. Mandy Dawson, D-Fort Lauderdale, who was absent.

Schiavo's parents, Bob and Mary Schindler, arrived in the Florida Capitol just after the Senate doomed their hopes. The Schindlers met with Jeb Bush in the early evening and promised to lobby senators into the night.

Their attorney, David Gibbs, said there would be political ramifications for those who voted against intercession. "I think people have to understand (they will be targeted as) somebody who voted to kill Terri Schiavo," said Gibbs. "That will be something they will hear for many campaigns to come."

Sen. Jim King, R-Jacksonville, said such threats were "grossly unfair."

"No one is killing Terri Schiavo. What (we) are doing is saying Terri Schiavo had the right to make the declaration orally and that declaration has been substantiated in every court," King said.

House leaders said they were unlikely to bring the issue back up unless the Senate had a sudden change of heart.

Yet Baxley said that could happen as already agitated conservative groups ratchet up the already intense lobbying on the issue.

"Once the base has been really contacted and realized where this sits, I think there's going to be some pressure on the Senate," he said. "Every day that goes by that tube is removed from Terri Schiavo, every day that she's dying, the intensity will increase.

"Once this news gets out, I don't know what they'll do," Baxley said of fervent supporters of legislative action.

Information from The Associated Press was used in this report.