

SENATOR AVERY: Madam Chair, members, the amendment that I offer is...pertains to Section 1. As I read that, a person is only, is designated and defined as a, only a parent, guardian or individual having custody or control over a child. I think that what my amendment would do is say any person who also may be a parent, guardian and so forth and that is the language that I insert. I think it needs a broader perspective that there will be people out there, a neighbor that may not have custody or control over a child that this will affect.

SENATOR CROSBY: Thank you, Senator Avery. Discussion on Senator Avery's amendment, Senator Ashford.

SENATOR ASHFORD: Thank you, Madam President. I appreciate the amendment and I agree with it. I think it's an appropriate amendment and there are cases where adults would not fall under that rather narrow definition of parent or guardian who could knowingly and recklessly endanger a child certainly by giving access to that, or having that child have access to a weapon or something like that, so I think that's a good amendment. Thank you.

SENATOR CROSBY: Thank you, Senator Ashford. Senator Beutler.

SENATOR BEUTLER: Madam President, members of the Legislature, I guess I'm coming to the point where I'm in need of some discussion of Section 28-707, the child abuse statute as it relates to this particular statute or proposal and I guess I would direct my question to Senator Avery with regard to his amendment or to Senator Ashford with regard to the entire proposition. But 28-707 which is our current law says a person commits child abuse if he or she knowingly, intentionally or negligently causes or permits a minor child to be placed in a situation that endangers his or her life or health or cruelly confined or cruelly punished or deprived of necessary food, clothing, shelter or care, and it makes the offense a Class I misdemeanor, and it makes it a felony if it is committed knowingly and intentionally. And it seems to me that we're just playing around with the same law and that, in fact, we're duplicating part of the existing law and confusing the rest of it with some potentially contradictory or at least confusing language in yet another statute. And so, Senator Ashford, I guess I would ask you, 28-707, since we have 28-707, why do we need this particular amendment altogether?