

SENATOR CROSBY: Senator Hohenstein.

SENATOR HOHENSTEIN: Yes.

SENATOR ASHFORD: Senator Hohenstein, the concern that I have is, centers on a situation where an adult places in danger the lives of children generally by, for example, my example is leaving a loaded gun around the house and the child takes the gun and shoots another child. Now in your opinion under the child abuse statutes and I realize, I understand Senator Beutler's points about the language, but those kinds of cases were not charged generally, is that correct, and could you tell me why and what change we do need to make?

SENATOR HOHENSTEIN: Well I don't have the advantage of having the existing statute in front of me but I will tell you that, yes, in my opinion those cases were not charged generally and I guess I think that it's appropriate to look at that situation to see that you have a clear definition of what you intend to charge or not charge.

SENATOR ASHFORD: Okay. Thank you, Senator Hohenstein. I've got the language in front of me, Senator Beutler, and I will tell you that what I think the answer is and what I think the answer is is that that statute is designed to cover a myriad of child abuse situations and...

SENATOR CROSBY: One minute.

SENATOR ASHFORD: ...is not designed or was not designed and is not used to address the problem that I'm discussing. Where in 28-707 are you reading the language that you referred to? Okay, I've got it, I've got it. All right. That's all I have.

SENATOR CROSBY: Thank you, Senator Ashford. Further discussion on the Avery amendment, Senator Chambers.

SENATOR CHAMBERS: Madam President and members of the Legislature, I would like to ask Senator Avery a question.

SENATOR AVERY: Yes.

SENATOR CROSBY: Senator Avery.