

SPEAKER LUEDTKE: All right. Senator Duis, go ahead.

SENATOR DUIS: I wanted to make this statement to Senator Barnett if I might. Senator Barnett, I know of your deep concern and I respect it and I respect Senator Chambers for his remarks. I respect anyone who has a personal opinion or an opinion that they have gathered by way of information. I think this is probably one of the first times that I have ever stood on the floor of this Legislature to take a bill from a Committee. I do this because the Committee is deadlocked and also, Senator Barnett, I told you in my opening remarks and I don't know whether you heard them, that should it be necessary I would allow an amendment to this bill because right now the law specifically states that the first degree sexual offense on second time will have twenty-five years, and if it would please you and if it should actually have to happen, I would offer the amendment on the penetration by force which would take out that portion of the first degree sexual offense that you are objecting to and make that part of the bill and make that on first offense and leave the rest of it on second offense. I merely bring that to your attention, Senator Barnett, so that you will know I am trying to make this conform with my constitutional amendment on this same matter that came out of the Constitutional Revision Committee in the last few days and I sincerely do respect you very much as Chairman of that Committee, but I did want you to know that I will certainly try to help and believe you me, I'm very serious. If we have this, I sincerely hope that our judicial system will find the courage and that our prosecutors will find the courage not to plea bargain and that we will cut this heinous crime down to nothing, I hope.

SPEAKER LUEDTKE: The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, Senator Kahle said he always hears me give this talk. Well, he is going to hear it more because when I see something being brought before the Legislature which I think is unwise and inappropriate, I'm certainly going to address myself to it in the same way he speaks against my points of view when he disagrees. So Senator Kahle, I have heard your talks many many times and I expect to hear them many many more because that's what you were sent here for. The people knew what you stood for and they know what I stand for. Now Senator Hefner talked about protecting victims. You meant protect people from this crime in the first place because once a person has been a victim you cannot protect that person. That's *ex post facto*. That's what I mean about our carelessness in speaking on these issues because we are so emotionally wrought up and playing to the fears and emotions of people and overlooking what the law making function is. Senator Venditte puzzled me but he has puzzled me a lot. He, first of all, he doesn't understand how I can say that a judge can cut the sentence of twenty-five years if it is twenty-five. He doesn't understand because he doesn't listen. I didn't say the judge would do anything. I said the prosecutor is not going to bring a charge under first degree sexual assault law that carries a mandatory twenty-five year sentence, but here's where he puzzles me again. When we talked about the death penalty and said thirty years would be thirty years, Senator Venditte wouldn't buy that and that's why he wouldn't support the bill he