

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Thank you. Senator Bernard-Stevens, on the Chambers amendment, followed by Senator Kristensen.

SENATOR BERNARD-STEVENS: Thank you, Mr. President, members of the body, I don't want to take a lot of time because of the hour this morning. I'd like to see us get to a vote on this amendment before the morning gets away from us. I rise in support of the Chambers amendment and I'd like to ask Senator Kristensen a question, if he'd so yield to one.

SPEAKER BARRETT: Senator Kristensen.

SENATOR KRISTENSEN: Sure.

SENATOR BERNARD-STEVENS: Senator Kristensen, you alluded to earlier that there is an agreement reached among competing groups which set the age at 15. Would you, briefly, and again, if I could ask briefly, inform the body, who is it that made this agreement and, again, what were they afraid of happening if they didn't set some type of limitation such as 15?

SENATOR KRISTENSEN: Well, this is not only just an agreement, but it also makes some sense to do it this way. What the fear is, is that if you have someone who is age 14 in this state if they are perpetrated upon and someone comes up and touched their breasts, the mere touching, if you can prove some gratification, is a felony in this state. There are people and there are people in this body, and I assume Senator Chambers was very uncomfortable when that law was passed and probably was one of the people that stood up and said this is a terrible thing, and now he is coming back and arguing the other way. But the agreement really is that we don't want to sit in here and have this discussion about, are children reliable or not? That's not what this is about. This isn't, as Senator Wesely was talking about, placing a higher burden of proof. The burden of proof is still the same. You've got to prove the defendant beyond a reasonable doubt. And I guess I'm somewhat offended when he says that county attorneys don't protect children. You know, they've also got an obligation to make sure that the rights of the defendant aren't trampled as well. What this amendment basically does is say, look, in the past we've made some determinations of what was a difficult issue in this body and I