

Senator Kilgarin caught an error in the amendment. It says "IIA misdemeanor". There is no such thing as a IIA misdemeanor. It is a typo. It should be a IIIA misdemeanor. Rather than to get into a quarrel with the bill drafter, I would simply move to change it to IIIA misdemeanor.

SPEAKER NICHOL: You have heard the amendment. All those in favor vote aye, opposed nay. Record, Mr. Clerk.

CLERK: 25 ayes, 0 nays on adoption of the committee amendment, Mr. President.

SPEAKER NICHOL: The amendment has been adopted. We have no other amendments, do we? Okay, back to the bill. Senator Hoagland.

SENATOR HOAGLAND: Let me now try in the seven minutes remaining, and I won't take that much time, before the noon hour and describe briefly to the body what this two part bill does. The most important part of the bill is to add a criminal sanction for violating a restraining order. Now let me explain why this is important. Frequently in divorce cases, a judge near the onset of the case will enter an order requiring one party or the other, usually a husband, to leave the house and to stay away and not to come around and bother the wife, not to cuss her out, or try to get in the house and take his belongings, or whatever. It is customary throughout the state for a restraining order, so-called restraining orders, to be entered to protect generally the wife who generally has custody of the kids from an angry and irate husband by telling him simply to stay away for a cooling down period. Now the problem is under current law there is no enforcement of those except through the contempt procedures of the court and we have gotten complaints throughout the state, I think this particular provision was brought to us by Jim Moravek, an attorney in Alliance, who cited examples in his practice where husbands, generally, would come around and rattle the windows or rattle the door and cause problems for the wife, but because civil contempt was the only penalty, the wife couldn't call the sheriff. The sheriff wouldn't come and give her a hand in that kind of situation. It might take a week or ten days before the wife's attorney could schedule