

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

April 8, 1997 LB 180, 280, 401, 870, 877

Committee reports LB 180, (LB) 401, (LB) 870 to General File.
Natural Resources report (LB) 877 to General File. (See
pages 1381-84 of the Legislative Journal.)

PRESIDENT ROBAK: Thank you, Mr. Clerk.

CLERK: Madam President, Senator Chambers would move to amend
the Landis amendment. (FA141 appears on page 1384 of the
Legislative Journal.)

PRESIDENT ROBAK: The Chair recognizes Senator Chambers to open
on the amendment to the Landis amendment to LB 280. Senator
Chambers.

SENATOR CHAMBERS: Madam President, members of the Legislature.
This amendment, I don't intend to spend a lot of time on, but
the idea of having three...since the thrust of Senator Landis'
amendment does deal with assault against a spouse, and the
arguments have been given and questions raised relative to three
times, it might be worthwhile to say "two" instead of "three".
Senator Landis indicated, and I agree with him, that somebody
could do this in the heat of anger or make a mistake, if you
want to call it that, abusing somebody in such a way that they
can be convicted of knowing and intentional assault.
But...maybe one time, but twice is not the same thing. So I'm
offering this amendment to improve Senator Landis' amendment.
But in view of what he had indicated about the direction it
seems this amendment of his is going, I may...I may withdraw
that one, but I'm not going to withdraw it right this minute. I
want to make a comment. This bill talks about...and Senator
Witek brought this up the other day and mentioned it again,
contracting a marriage. Senator Brashear talked about a broader
meaning of that term than you'll find in contract law. I tend
to agree with what Senator Brashear had said about that word.
But if you talk about a common law marriage, there is no sense
of the term in which a common law marriage fits. But I'd like
to ask Senator Brashear a question on something else.

PRESIDENT ROBAK: Senator Brashear, will you yield?

SENATOR CHAMBERS: Senator Brashear, do you think that what
happens in the cultures with which you're familiar, namely those