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FLOOR DEBATE

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to pay the reasonable value of things necessary for his or her support, or that of his or her family, entered into by him or her when not under the care of a parent or guardian able to provide for such minor or his or her family." That's basically a codification of what the common law is at this point, and I would reiterate what Senator Brashear has just said, what Senator Erdman said before him, too, about the fact of the common law in the state of Nebraska simply is, right now, that a minor may not disaffirm for necessities of life. And I can tell you from my own personal activities outside of this body, acting as an attorney in the state of Nebraska, that what constitutes necessities of life is determined on a case-by-case basis. It's dependent on the facts of the situation. Generally, it's food, it's shelter, it's clothing, it's medical care, it's things of that nature. But I can tell you some things that I could tell you it most certainly wouldn't be. It wouldn't be a frivolous automobile. It wouldn't be alcoholic beverages. It wouldn't be a Nintendo game. It wouldn't be things of that sort that we may be, I guess, trying to drag into the discussion right here. It's limited to the necessities of life. And again, that's dependent on the fact situation that's present. If it did happen to get before a court--and I can tell you that this doesn't get before a court very often--a judge would weigh as to whether or not the thing contracted for was an absolute necessary for the support of that minor or his or her family. I guess I would also go that the court at that time would also weigh as to whether that minor was competent or had the capacity to enter into the contract at that time, because that's another factor that's taken into consideration. That is also handled by the amendment to LB 391 that gives us LB 391 in its present form. So I just...I wanted to provide that, I guess, additional information to the body, that what constitutes necessities of life is a very fact-dependent situation. It depends on the facts of each matter. But it really is a commonsense...what I've found, in appearing before courts in Nebraska, is what constitutes necessities of life really is a fairly commonsense definition--food, clothing, medical care, housing, those sorts of things, and that's the sort of things that a court and that are supported by Nebraska common law as what constitutes necessities of life. Would also reiterate, did a little research on my own on the federal bankruptcy code, and basically