

testimony, and the man was convicted. The state, the Nebraska Supreme Court said, no, that that is not a basis for a conviction. Having the inclination to do this, having the opportunity to do it, the sexual intercourse, is not sufficient to establish that the act was committed. So that is why I say you are going to have to have somebody who didn't trespass, putting their eye to the keyhole, and getting a picture because their unsupported word is not sufficient to prove it either. When it was accepted before in a divorce, many times the parties agreed that we will say divorce is the basis and then that is a form of no-fault because no other questions were asked.

SENATOR WITEK: So I guess my reservations are in taking the entire thing out of the statute, we are saying there is no crime such as adultery for anything, and it is no longer a crime to be adulterous, and, gee, that sounds to me like a heck of a lot more than...

SENATOR HALL: Time.

SENATOR WITEK: ...what I am prepared to do at this time. Thank you.

SENATOR HALL: Thank you, Senator Witek. Senator Crosby, your light is next.

SENATOR CROSBY: Thank you, Mr. Chairman and members. I just have a couple of questions. Mine were somewhat along the same line, Senator Chambers, but first I want to say I am pleased to know that you are...you exaggerate sometimes because you said these bills have been on the books for at least a thousand years, and its only been here since 1867. I just...

SENATOR CHAMBERS: Other books.

SENATOR CROSBY: ...wanted...so, see, you have these little personal failings too. That makes me feel better. My questions were somewhat the same as Senator Witek's except that, because I do have a feeling about the no-fault divorce laws, that I do think that has weakened families, men, women, and children, and I think...I am hoping that some of the mediations things we are bringing in will help, help us along the line so there maybe won't be so many divorces, won't be so simple and easy because I think it does hurt the children in particular. But my question is, just straight out, if there is evidence, just taking this