

SENATOR HARTNETT: Is adultery defined anyplace in our statutes beside this?

SENATOR CHAMBERS: No, this is it.

SENATOR HARTNETT: Thank you.

SENATOR HALL: Thank you, Senator Hartnett. No other lights, Senator Chambers, would you care to close on the advancement to E & R Initial of LB 22?

SENATOR CHAMBERS: Yes. Mr. President, members of the Legislature, a few years ago, there was civil action possible, called alienation of affection. That was repealed by the Legislature. Certain personal relationships ought not be made the subject of the law. They certainly should not be made crimes, and there should not be any attempt by law to force people to stay together. One thing that Senator Witek, and others, who oppose no-fault will never do, and that is to point out that there have been fewer killings resulting from divorce actions since no-fault than when it was a matter of fault. And we are not going to make people be happily married by saying, by God, you are going to stay together or go to prison if you go have sex with somebody else. But what they are going to have to do, if they restore fault, is to do away with the law allowing a court to provide for a legal separation. If the aim is to try to force people to stay together no matter what, I think it is unwise in the first instance. But whether I think it is unwise or not, if anybody undertakes to do that, it can only make a situation which is bad that much worse. Nobody is so pathetic that they have to be protected in these kind of personal relationships by the law. Where is the crime of adultery last charged in this state and proved? Senator Witek, nobody has committed adultery in the minds of all the prosecutors or anybody else, and I don't think we ought to try to have our particular moral or religious precept put into the statutes even if they are not enforceable. Somebody might love to have us enact the Ten Commandments and say even if you can't enforce them, people are not going to obey them, it is just good to have it there in the statute book, that is not the purpose of the statute books. There are churches, there are Sunday schools, there are seminaries and other religious institutions who spend their time trying to influence people's conduct for the better by persuasion, and sometimes by frightening them with the threat