

SENATOR CHAMBERS: Right.

SENATOR LANDIS: ...and for that reason I can't tell you what it would mean in a conviction. And I'll tell you where that makes me shake out. On...at a point at which I was able to get some expert advice as to the impact of that change, I might be able to say yes. Since you catch me unawares and I do not know the ability, I don't have the ability to analyze what that would do, and since the existing language is the existing law, I will resist your amendment but let me acknowledge that if I had a chance to study and test the addition, I would acknowledge that there's a possibility that it would be an improvement or at least not detrimental. I can't tell you that now, and since I can't tell you that now and this is a...and what you're changing is existing law beyond the nature of the original bill, LB 471, or this amendment, I will resist at this point because I don't have the expertise to analyze its impact.

SENATOR CHAMBERS: And, Senator Landis, I can accept that as a frank expression of your opinion about the amendment but I'm going to argue it nevertheless and use the opportunity perhaps to discuss some of these other provisions of the bill with you. But I do want to indicate why I'm putting it there. It is possible to intend to do something without knowing what it is that you're doing. The example that I was giving when we were talking about the guns, because that was one of the easier things, on a school...at a school function somebody may have a gun in a book bag and I know that I'm carrying a book bag and I intend to carry it but I don't know that there is a gun in it, so the knowledge of the nature of the act is necessary. If we look at what this amendment is doing that Senator Landis is offering us, we say that if a person, usually a woman, does not know the nature of the act, even though everybody else may know, then she cannot give consent. So there are situations where a woman being subjected to this kind of conduct may not know the nature of the act but it still means that a crime is committed against her. A person can intend to do something without knowing what it is that he or she is doing. And in this particular part of the bill that would become a part of the bill if Senator Landis's amendment gets adopted, and I don't believe it will unless they go to cloture and vote on this one, it...you're saying sexual contact means the intentional touching of the victim's sexual or intimate parts or the intentional touching of the victim's clothing covering the immediate area of