

HB

678



Alaska House of Representatives

*Comm members
packets*



POUCH V
JUNEAU
99801

P. O. BOX 9
KENAI
99611

HUGH MALONE

February 29, 1980

Rev. Carl Thomason
Calvary Baptist Church
Lawton Drive
P.O. Box 1329
Kenai, AK 99611

Dear Rev. Thomason:

Thank you for your letter of February 9, 1980, regarding HB 678, the so called "Sunset Marriage" bill.

This legislation is currently in the House Judiciary Committee. I am forwarding a copy of your letter to Rep. Charlie Parr, the chairman of House Judiciary, for his information. At this point, no committee hearings have been scheduled and I don't see much possibility of passage for the bill.

Thank you for informing me of your opinion.

Sincerely,

Hugh Malone

HM/jk





**SOWING AND REAPING WITH
BAPTIST MID-MISSIONS**

4205 CHESTER AVE.

CLEVELAND, OHIO 44103

2-9-80

Dear Mr. Malone,

Just a few lines to voice
my opinion of the Bill on Marriage
contracts that is being proposed.

I am personally opposed to this
bill because of a Biblical
principle being violated. I do
further see immorality being fostered
even more and we certainly don't
need that.

Any one with any moral fiber
at all should oppose this bill
I do understand that this bill doesn't
have much chance but I wanted you
to know my feeling on it.

"Lift up your eyes and look on the fields; for they are
white already to harvest." (John 4:35)

Thank you.

Sincerely
Carl Thomasson





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HUGH MALONE

February 29, 1980

Villes Emmel, Pastor
Sterling Baptist Church
P.O. Box 87
Sterling, AK 99672

Dear Rev. Emmel:

Thank you for your letter of February 7, 1980, regarding HB 678, the so called "Sunset Marriage" bill.

This legislation is currently in the House Judiciary Committee. I am forwarding a copy of your letter to Rep. Charlie Parr, the chairman of House Judiciary, for his information. At this point, no committee hearings have been scheduled and I don't see much possibility of passage for the bill.

Thank you for informing me of your opinion.

Sincerely,

Hugh Malone

HM/jk

P. O. Box 87
Sterling, AK 99672
Feb. 7, 1980

Mr. Hugh Malone
Juneau, Alaska

Dear Mr. Malone:

As a representative of the people of Alaska, I appeal to you to act for the good of your people in regard to the new bill being introduced having to do with marriage by contract. This bill violates Divine command and all the principles of marriage and the home. I beg of you to cast your vote against this bill, not in the name of religion but for the good of the society to which you are responsible.

Sincerely yours,



Villes Emmel, Pastor
Sterling Baptist Church

POSITION PAPER ON HOUSE BILL 678

The purpose of this House Bill 678 is to expand and maximize the freedoms of action available to partners in a marriage contract, and to more clearly identify their legal rights. This will serve significantly to strengthen the institution of marriage. Remember that marriage is both a spiritual and legal agreement.

The traditional marriage contract as provided in the law today and supported by religions, does not specify the duration of the marriage, but it is generally understood to be "till death do us part". Nor does the present law require a premarital written legal agreement dealing with the various legal rights of the partners in the properties and belongings of the partners acquired before marriage, and to be acquired during the marriage. This bill addresses those particular legal concerns in a marriage, but does not address the spiritual aspects of the marriage, nor does it affect the spiritual aspects of the marriage.

Today, when fully one-third of all marriages end in divorce; when domestic violence is at an all time high and no relief appears in sight; when illegitimate children cry for recognition; when the legal rights of women are practically ignored or receive only scant attention; when marriage counselors report that "being taken for granted" is the single, most loudly raised complaint by partners in a marriage; when contested and protracted divorce actions may

exhaust limited family financial resources; when abandonment of the family is selected by an increasing percentage of the partners as a solution to an intolerable marriage situation; when rape, alcoholism, child abuse, suicide and incest are all at record levels, then it would seem reasonable that a law that could provide relief to the married partners should be forthcoming. The law should require a clear understanding of the legal rights of the partners, and this should be in the form of a premarital written legal agreement completed at the time the marriage certificate is secured, and filed with and attached to the marriage certificate as a permanent part of the record.

For some couples, the traditional marriage maybe the only way to go. For others, a definite time limit on the marriage maybe most desirable. A lot of people just can't bear the thought of an unlimited time period as provided in the traditional marriage contract. These people may be unwilling or unable to marry under this condition, or for many other reasons. A time limit on the marriage encourages these people to enter into marriage. Presently, these people choose not to marry because of the legal difficulties they envision in terminating the marriage, preferring to live together in the unmarried state, in sin if you will, a trend that is increasingly more attractive to the younger people.

Marriage is the most serious contract one will ever sign, and yet it is the easiest to get into, and can be the most difficult to get out of. It frightens people

because the legal problems can be so difficult. And yet, there is no training or schooling or preparation or education required or given to most couples before they sign this contract and get married. By having written agreements on the legal aspects of the marriage, many problems can be avoided. Having a time limit on the marriage, so that the marriage automatically dissolves at a given moment unless renewed by the partners, should eliminate a great deal of the fear that many people today have of being trapped.

House Bill 678 is a sincere and serious effort to strengthen the institution of marriage by encouraging more people to marry as an alternative to their present situation. This proposal does not affect the spiritual aspect of marriage, only the legal.

House Bill 678 provides an automatic termination of marriage, unless the partners sit down and renegotiate the legal agreement, and file it with the court again. It can be the same legal agreement originally signed at the beginning of the marriage, or an entirely new one. But by requiring a written legal agreement before being married, we can eliminate most of the legal problems that weaken the marriage. Women's legal rights to properties are for the first time legally addressed and identified.

I would assume that the legislature would place a minimum time on the marriage such as one year, although most couples would probably prefer a longer term such as five years or 10 years. But no matter what time limit is put on

the marriage, when that time period is up, the marriage automatically terminates unless a new written agreement is reached. The indefinite postponement of negotiated solutions to marital problems is a evil seed that can grow and destroy the relationship. A time limit certain placed on the marriage encourages couples to sit down together and work out the differences, instead of indefinitely postponing the confrontation.

For religious reasons, in most traditional marriages, the couples periodically renew their marital vows. Under this House Bill 678, couples would be required to renew their legal vows, as well as their spiritual vows. If people really want to stay married, they will rewrite their agreement. In other words, a positive action is required on the part of the partners in order to stay married. So frequently people stay married because it is too much of a hassle to divorce, and this can be a negative action.

When partners are required to take this positive action to preserve their marriage, I believe they will be much more attentive to each other's needs, and we may even bring romance back into the marriage.

Let's not be afraid of a new idea. Divorce rates are steadily increasing in this country and no solution has been found. House Bill 678 could be a real solution, and is offered in good faith and in good conscience. No one else has the answer. Let's be strong enough to try a new idea.

Dr. M. F. "Mike" Beirne
Alaska State Representative

February, 1980