

CLERK: Yes, sir, we are. Mr. President, LB 612 was introduced by Senator Schmit and Senator Hannibal. (Title read.) The bill was read on January 22 of this year. It was referred to the Judiciary Committee for public hearing. The bill was advanced to General File. Senator Hoagland, would you care to take up your amendment to the committee amendments now or do you want to...? Mr. President, Senator Hoagland...Senator, the amendments that you had printed in the Journal I understand you wish to withdraw.

SENATOR HOAGLAND: Yes. I thought you meant the committee amendment, rather than...

CLERK: Do you want to do committee amendments first?

SENATOR HOAGLAND: Yeah, let's do those first.

CLERK: Okay. (See Standing Committee amendments on page 1444 of the Legislative Journal.)

SPEAKER NICHOL: Senator Hoagland, please.

SENATOR HOAGLAND: Mr. Speaker and colleagues, this is a bill brought to us by Senator Schmit and subsequently Senator Hannibal added his name as a co-sponsor and subject to correction by Senator Schmit, let me deal with the substance of the bill first. And the bill as I understand it was introduced in order to clarify a question between a judge and a county attorney as to whether or not child support paid to a party having custody of the child becomes the property of that person or becomes property of the child and that issue is important only in terms of how actions are to be captioned for the recovery of child support. So what the committee did is it added a small amendment to Senator Schmit's original language by deleting some language, "but shall be used to support the child." That's new language on page 3 which is consistent with what I understand Senator Schmit's intent in introducing the bill to be and which also keeps the committee out of another dispute and that is arguments between former spouses as to whether the custodial spouse is in fact using the funds for the child instead of for other living expenses. We thought it best in the committee to take out the tail end of Senator Schmit's new language so as to leave to the courts complete discretion to settle those kinds of disputes as they have been at this point. So that's what the committee amendments do with