

printed on page 1477 and 1508. In order to save the body time I've had those two amendments to the joint custody portion of the committee amendments blended so it will just take one vote. And let me describe briefly what those amendments do. The first amendment requires that the court, when it has its hearing determining whether to dissolve a marriage or not, make a specific finding that a joint custody arrangement presented to it as a proposal by the parents is indeed in the best interests of the child. This will provide an additional protection to be sure that the child's interests are being solved. What happens in the joint custody situations is that parents and their attorneys will agree that they'd like to have a joint custody arrangement over a child, but the parents and their attorneys may have an interest that is different from the interest of the child itself. So what the first amendment does, the first portion of this amendment does, is it requires the court to make a specific finding that the joint custody arrangement proposed by the parents is in fact in the best interests of the child that is involved. The second thing this proposed amendment does is it takes out language in the committee amendments requiring that the court designate a primary residency and in so doing it restores to the court fuller discretion in deciding where the child is to reside, with one parent or the other or with both parents on some sort of alternate basis based once again on its finding as to what is in the best interest of the child. So with that, Mr. Speaker, I would ask the adoption of these amendment to the committee amendments.

SPEAKER NICHOL: Senator Hannibal, did you wish to speak? Senator Schmit, on this amendment?

SENATOR SCHMIT: Mr. President and members of the Legislature, I have not been aware of the more recent amendments by Senator Hoagland. I guess I do not disagree with him, but I have some concern and I'd just like to say that I have about as much confidence in the judiciary I think than any member of this body, but I think we ought to recognize that when we do this and I...the committee amendments, the guts of them are really Senator Hannibal's idea and I told him he could attach them to this bill, but I would hope that we would take a good look at this as it moves across because there comes a time when a child under joint custody needs to have some kind of roots and I have a certain amount of misgiving about bouncing the child back