

June 4, 1985

LB 445, 598, 612

SPEAKER NICHOL: LB 445 passes. Senator Labeledz wishes to pass over 556 and 556A. We are now at 598.

CLERK: (Read LB 598 on Final Reading.)

SPEAKER NICHOL: All provisions of law relative to procedure having been complied with, the question is, shall the bill pass? All those in favor vote aye, opposed nay. Have you all voted? Have you all voted? For what purpose did you rise? Record, Mr. Clerk.

CLERK: (Read the record vote as found on pages 2670-71 of the Legislative Journal.) 25 ayes, 23 nays, 1 excused and not voting, Mr. President.

SPEAKER NICHOL: LB 598 passes. LB 612.

CLERK: (Read LB 612 on Final Reading.)

SPEAKER NICHOL: Yes, you have a motion in on this, Mr. Clerk.

CLERK: Mr. President, Senator Chambers would move to return 612 to Select File for a specific amendment, that amendment being to strike the Hannibal amendment.

SPEAKER NICHOL: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, when this bill moved across on Select I, slept this issue, but the Hannibal amendment, so that you will be aware of what it is I am trying to strike, relates to joint custody. And the concept is that in these unfortunate circumstances where a divorce occurs, each parent will have joint or equal custody to the child or the children. The Supreme Court dealt with a case and because of the Supreme Court's decision and some language in that case which I feel was woefully misconstrued by people who have talked to Senator Hannibal, he brought in an amendment which is attached to LB 612. The Supreme Court had stated in its opinion what I think ought to be the rule in these situations, that only in the rarest of cases should joint custody be allowed. Since the Supreme Court stated that as its position, it is clear that joint custody has not been totally abolished as an alternative or possibility in this