

state. The kind of people who have talked to Senator Hannibal about his amendment are the very types of people who even Senator Hannibal would agree would be unable to obtain joint custody. It is...they are involved in acrimonious, contentious divorces and under those circumstances there certainly would not be any agreement between the two parties, the two warring parties as to what should become of the child or the children. As a matter of fact, the children in cases like these become the bone between two pit bulls fighting for supremacy over each other and there is little regard given to the children in their own right. If this bill is brought back and amended, that would not kill the bill. It simply would not be passable this year. There are even problems with the bill itself. Senator Schmit, in his district, has a nitwit judge who wants to say that certain actions cannot be brought to obtain child support, so he is going to walk against the tide of every other judge, every other opinion, and the Supreme Court of this state. And I think rather than put legislation into the statute books to deal with one recalcitrant, foolish, bullheaded, ignoramus of a judge, it behooves the Supreme Court to step into that situation and exercise its overseership of the judicial system and bring that judge an order. I think we pervert the legislative process and demean it when we allow one foolish judge to cause us to go through the entire process of legislation to deal with him and pass a law saying that the custodial parent owns the child support payment, which means if the child support payment is not given, an action cannot be brought in the name of that parent. That is what this judge out in Senator Schmit's district is saying. The bill, even without the Hannibal amendment, has no validity, so the first thing I am going to try to do is strike the Hannibal amendment. That would then at least leave the bill alive and Senator Schmit could indicate to that judge that the Legislature is not willing to do what is being asked. But if the Hannibal amendment is not struck, then I will go ahead and make a motion to strike the enacting clause.

SPEAKER NICHOL: Senator Hannibal.

SENATOR HANNIBAL: Mr. Speaker and members, the only surprise is that it came so late in the game. I assume we would talk about this at least one more time before the bill came to passage. I don't know how much debate is going to happen today but I will be happy to engage in any amount