

February 22, 1980

LB 622

CLERK: Mr. President, LB 622 was introduced by Senator Carol Pirsch. (Read title.) The bill was read on January 9, referred to the Judiciary, advanced to General File. There are committee amendments pending by Senator Nichol's Judiciary Committee.

SPEAKER MARVEL: The Chair recognizes Senator Nichol.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, the amendments are purely technical amendments and help to clarify the bill. These were prepared by people helping Senator Pirsch in going ahead with the bill and they have her support and I move for the committee amendments.

SPEAKER MARVEL: All those in favor of the adoption of the committee amendments to 622 vote aye, opposed vote no. Have you all voted? Have you all voted? We are voting on the adoption of the committee amendments to LB 622. Record.

CLERK: 25 ayes, 0 nays on the adoption of the committee amendments, Mr. President.

SPEAKER MARVEL: The motion carried. The committee amendments are adopted. Senator Pirsch.

SENATOR PIRSCH: Thank you, Mr. Speaker and members of the body, first of all I would like to advise this body that I do not personally intend to make use of this statute. LB 622 was drawn up to give some specific direction to the court in an area where there has been some confusion. The bill directs the court to consider the pensions and retirement funds of both parties into the total marital asset pot to be divided equitably in a divorce, especially in long term marriages. These funds have taken on a greater importance than they had when the original statutes were drawn up. LB 622 advises the court to divide the amount of pension or retirement that grew during the years of the marriage only and these amounts are very easy to get at because by statute and the IRS, employers and insurance companies, etc., have this information by year at their ready disposal. This bill does not show a formula to the court. It leaves it up to the discretion of the court. It merely helps clarify a problem that has shown up since no fault divorce legislation was passed and will help to make the unfortunate situation of divorce as fair as possible to all parties concerned. I move for the advancement of LB 622 as amended.

SPEAKER MARVEL: All those in favor of the advancement of the bill as amended vote aye, opposed vote no, 622. Have you all voted? We are voting on the advancement of the bill. Have you all voted? Record.

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