

child abuse laws, we have restraining orders that apply when custody has been determined. We are only talking about that small point in time when custody has not been determined and I suggest to you that in all fairness our current laws are adequate and the most fair. Thank you.

SENATOR LANDIS: Thank you, Senator Beutler. Senator Haberman for closing. Is he in the body? The body will want to prepare to vote following Senator Haberman's address on amendment #1 to LB 371. Senator Haberman.

SENATOR HABERMAN: Mr. President, members of the Legislature, I will yield a couple of minutes to Senator Kilgarin.

SENATOR LANDIS: Senator Kilgarin.

SENATOR KILGARIN: Thank you, Senator Haberman, for giving me a few minutes of your closing time. I would just like to point out that Senator Beutler makes some good points but I think all in all the weight comes down on the side of Senator Schmit and Senator Bermice Labeledz's amendment. What we are talking about is either party. This amends #2, subsection 2, which says, "in joining any party," that means either party from molesting or disturbing the peace of the other party. And then we're adding, "or any minor children affected by the action." Why would we not want to give the court that right to enjoin either party from molesting or disturbing the peace of the other party or from molesting or disturbing the peace of any minor children affected by this action? I think it is very clear to me that children are involved and I don't think the court is going to abuse this language but I think it is necessary to have this language in there so attorneys don't have to go before the court and argue that the other party includes the children. This way it is less of taking sides. It is saying the children are on their own, people that we should be concerned about and if the court feels they should enjoin either party from molesting or disturbing the peace because there has been a problem with these minor children, with one of the parties bothering these minor children, that the court has the power to do that. But I would suggest this is the intent of the Legislature and I would suggest that we adopt Senator Schmit's amendment to the committee amendment. Thank you.

SENATOR LANDIS: Thank you, Senator Kilgarin. Senator Haberman, for the remaining amount for closing. You have three and a half minutes.

SENATOR HABERMAN: I just ask for the advancement of the bill, Mr. President. Thank you.