

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

January 27, 2000 LB 120

development of the parenting plan, the goal, only the goal of maintaining a significant and meaningful relationship with the child and both parents shall be a guiding principle. Now, I have...since this negotiation took place yesterday, I understand from Senator Chambers this morning he may still have some problems with that. I think we can still make some forward progress here. It may have to be on another amendment. But as to the amendment you have before you, I would say that the language is suggestive and nonmandatory and nonobligatory, and talks only in terms of goals and in more general language. I'd urge its consideration. Thank you.

SENATOR WICKERSHAM: Mr. Clerk.

CLERK: Mr. President, Senator Chambers would move to amend the Beutler-Brashear amendment. FA273, Senator. (Legislative Journal page 467.)

SENATOR WICKERSHAM: Senator Chambers, you're recognize to open on your amendment to the amendment.

SENATOR CHAMBERS: Thank you, Mr. Clerk. Mr. President, members of the Legislature, sometimes as things are explained and clarified they become increasingly murky. Since my amendment is not difficult to understand and I can explain it very easily, I want to call attention to something that Senator Beutler had mentioned in terms of legal custody and joint physical custody. Well there is nothing in the statute talking about physical...joint physical custody, and that was something Senator Beutler and I talked about in my office. But now that I see they're specifically putting "joint physical custody" into the bill. They mention it three times on page 2 of their proposed amendment. You will find it on page 2, in line 9, in line 12, and in lines 15 and 16, "joint physical custody". Senator Beutler has already pointed out that when you talk about something like that you're going to bounce the child here for a certain amount of time, over there for a certain amount of time, so there is no stability. A child might be better off in a foster home, where at least he or she knows the primary locus, where the child is going to be situated. How are you going to grant joint physical custody when the parents are living apart and maybe one is in another state? Or they start out in the