

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

January 27, 2000 LB 120

so mixed up and intermingled now that I think we're just going to have to battle. But what I'm going to try to do, in having an opportunity to discuss what is attempted in these amendments and to give others a chance to express their view, I'm going to offer several amendments, and, believe it or not, they are serious. I want to achieve what each one of my amendments will offer. And I'm starting again with the simplest thing. And now back to this amendment that I'm offering. On page 1 in line 23, where it says "and consideration shall be given to placing legal custody of the minor child with both parents on a shared or joint custody basis", I'm changing that "shall" to "may". And in this provision it does not talk about joint physical custody. So in some parts of the law they're going to talk about it, in others they are not. Because I just received the amendment not very long ago this morning, I have not been able...

SENATOR WICKERSHAM: One minute.

SENATOR CHAMBERS: ...to analyze every aspect of it and see why they might put "joint physical custody" in some portions of the law and not in others. But I'm opposed to its being in the law anywhere. And I hope I've made clear at least what I've said up to this point.

SENATOR WICKERSHAM: We have Senator Landis, followed by Senator Brown, followed by Senator Kristensen, followed by Senator Crosby, Senator Brashear, and then by Senator Beutler. The pending motion is an amendment to AM2154. Those wishing to speak to the amendment to the amendment? Senator Landis.

SENATOR LANDIS: Thank you, Mr. Speaker, members of the Legislature. Given the way the amendment is now drafted, I'm going to vote for the Chambers amendment, moving "shall" to "may". There are conditions under which I would keep the word "shall", but that was an issue I injected to the discussion the last time we talked. I see this different from everybody else on the (laugh) floor, which is why I think we got into trouble. Chris, trying to bring things around, asked me what it would take for me to say yes, and I said, well I want to treat children of four and younger differently. And we wrote that, took it to Ernie, Ernie said, you know, I'm not going to live with this, I'm going to fight it, but I don't have to draw the