

the situations that develop through divorce court. So I would still support Senator Hoagland's amendment to the amendment and then I'm going to sit back and listen to the debate upon the bill. I am sure that Senator Chambers and Senator Hannibal will both enlighten us as we progress across the board. Thank you very much.

SPEAKER NICHOL: Senator Vard Johnson, then Senator Higgins.

SENATOR V. JOHNSON: Mr. Speaker and members of the body, I've always been of the opinion that when an issue is somewhat of a bad issue and a person offers an amendment which will take a bad piece of legislation and improve upon it, that one ought to support the improvement and then ultimately speak against the bad legislation. Now I happen to think that the committee amendment to LB 612 is a bad amendment and I'll speak to that later on, but I also believe that Senator Hoagland's attempt to moderate the bad amendment warrants support. And for that reason I'll vote for Senator Hoagland's amendment to the committee amendment. Now let me just talk about what I think the issue is. Senator Hannibal is absolutely correct. The Nebraska Supreme Court quite recently did rule that when a district court allowed joint custody in a divorce context that the district court acted improperly. The Nebraska Supreme Court said that joint custody is to be disfavored. It did not totally rule out joint custody. It indicated that under some circumstances the husband and the wife could be very mature individuals. The movement of a child from one household to the other, the joint decision making by the parents about the child could be endurable and in fact under some limited circumstances joint custody might be warranted. Now I happen to think the court is absolutely right. I do a number of divorce cases and what really happens in a lot of divorce cases is this. Husband and wife have decided they are going to separate one from the other. They are able to work out a lot of their basic differences. They know that the wife will get some of the furniture and he'll get some of the furniture and the wife will take care of some of the bills and he'll take care of some of the bills and they know that the wife will get the house and he'll get the automobile and they know, they can kind of figure out what to do about alimony, but when it gets down to what's to happen to the children and neither parent can really cede ground as to precisely what's to happen to the children. It's difficult for the father to say to his wife, it's