

bit worse inasmuch as it would segregate, as Senator Stoney has outlined to you before, and without repeating, it would make a difference between one kind of parent and another kind of parent and I agree with Senator Stoney that this should not be a part of this bill. I strongly oppose the Hoagland amendments.

SENATOR CLARK: Senator Johnson. Talking on the Hoagland amendment.

SENATOR JOHNSON: Yes, I am going to talk on the Hoagland amendment, Mr. Speaker. A couple of points that I want to make, I think are very important points. My good friend and office mate, Senator Hoagland, would like us to at best allow this type of visitation action only when the single parent is a single parent as the result of a legal separation or divorce. Now, in my opinion, it is totally wrong to single out that class of individual to be subject to a visitation in effect by the court on this issue, and I have to agree with Senators Nichol and Stoney that the broader the class is the better the resolution of the problem, and it is wrong in effect for this issue to turn on one's marital status. Secondly, with respect to precluding the commencement of a visitation rights action against a parent of a child when the petitioners are that parents own parents, which is the second aspect of Senator Hoagland's amendment, we must keep in mind at least two separate points. The first point is this. Right now under existing family law my own parents could hail me into court and ask that the custody of my children be changed and be given to them. That's existing law. I use myself specifically. That probably would not apply in the end unless I was a single parent, but my own parents have the power, they have the standing under existing Nebraska case law to hail me into court and ask for a change of custody. Now if they have got the standing under existing case law to do that right now, I mean to get the whole shooting match, to get the custody, why in the devil shouldn't they have the standing under Senators Nichol's and Stoney's bill to at least go into court and ask for visitation, which is far, far less than custody? That's the first reason. The second reason I have for opposing Senator Hoagland's amendment on this point is this. We say we don't want to put a child's parents in the position of being able to hail their own child into court, so to speak, on the visitation question. We are going to obviously cause a further estrangement of the relationship. Well, I say if the issue has gotten to the point where a grandparent feels the need to bring into court the grandparent's own son or daughter, their relationship