

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

January 25, 2000 LB 120

think it's a lot easier for people to look at each other and say, you know, we have joint custody; I'm just as good a parent as the other person is, and that's probably very true. But that's not the gauge. The gauge is what's in the best interest of the child. And somebody has got to be the boss. Somebody has got to make the uncomfortable decision of where do you go to school; when do you go to bed; which church do you go to. And those aren't very popular decisions. But the key is, if you couldn't make those decisions while you were married and together, why in the world would we ever think that you're going to be able to do that when you're divorced and you're in an adversarial position? And that's the reason I'm not going to vote for the amendments and I'm not going to vote for the bill. I can go on with specific examples. I don't know that that's particularly necessary. But, again, the intent is so well meaning here, but the reality is that...

PRESIDENT MAURSTAD: Time.

SPEAKER KRISTENSEN: ...divorce is a very, very difficult subject in this state and one we're not going to solve. Thank you.

PRESIDENT MAURSTAD: Thank you, Mr. Speaker. Further discussion on the committee amendments to LB 120, Senator Brashear, followed by Beutler, Chambers, Lynch and Crosby. Senator Brashear.

SENATOR BRASHEAR: Thank you, Mr. President. Speaker Kristensen has just given you his good and reasoned view as to why you ought not vote for the bill and for the committee amendments. And I'm going to tell you that, while acknowledging what he says in many cases and almost all degrees to be true, I guess it depends on one's perspective. I will tell you that joint custody won't always work. And I will tell you that custody of (sic) the mother doesn't always work either, and we have a lot more experience with that than we do with joint custody. And custody, a father sometimes works and sometimes doesn't, and we don't have much experience with that either, because that's not been the way the law has operated for decades upon decades. And equalizing time hasn't been so possible in the past, because you begin to work in the field at dawn up, and you left the