

March 10, 1982

LB 679

Before we go into the next matter on the agenda the Chair would like to introduce some 32 eighth graders from the Cathedral of the Risen Christ School here in Lincoln, Cathy Hayden, teacher. They are up here in the North balcony. I guess they are about to leave. Wave to us as you are leaving up there and welcome to your Unicameral. We're ready then to resume our discussion on motions under agenda item #6, LB 679 for a ten minute limit again. This time Senator Wesely's LB 679. Mr. Clerk, do you want to go ahead.

CLERK: Mr. President, Senator Wesely would move to suspend Rule 3, Section 16 so as to place LB 679 on General File notwithstanding the action of the Judiciary Committee.

PRESIDENT: The Chair recognizes Senator Wesely.

SENATOR WESELY: Thank you. Mr. President, members of the Legislature, the motion before you is going to be, I hope, very brief and I think our understanding is that I'll speak and perhaps somebody can speak against it. It doesn't matter and then we should close discussion and vote. The reason I am bringing up this motion, it was cosigned I believe by close to a dozen various senators, the bill itself, LB 679, was cosponsored by I believe seventeen senators, is that I think we ought to get a feel for how the Legislature considers this issue and that we should have a vote so that there is an indication of whether or not it is worth pursuing in the future. I guess that is my interest in the issue. And what is the issue? That is the grandparent visitation rights question which has been before this body twice in the past couple of years. Now the issue that has come before you in the past was in the form of a bill by Senator Nichol and Senator Stoney in 1979 or 1980 I believe which would have established the broad based visitation rights for grandparents. That bill was killed on the floor of the Legislature and was reintroduced in a different form but essentially in the same concept by Senator Higgins last year. That bill was killed in committee. This year in cooperation with the other senators that cosigned the bill we narrowed the focus of this legislation to the point at which it now deals with only those situations where one of the spouses has died. The surviving spouse has the children and the grandparents-in-law are not given a chance to visit those grandchildren and at this time that is the only situation we're talking about. Now why is this a particularly important situation? Well it is important because of the fact that if you have a divorce case the spouse that doesn't have the children still has visitation rights in the courts so his parents can visit those grandchildren through the times that he visits them himself, so that there is an access to the grandchildren under those circumstances. But when one of the spouses dies and the parents of that spouse really have no standing whatsoever in the courts because right now there is no