

can just set out a short synopsis of what that amendment does. That allows grandparents, for the first time in the State of Nebraska, to petition the court for visitation in the following situations--if one or more parents are deceased, if the parents are divorced or divorce proceedings are pending and, number three, if the child's parents have never been married. Now grandparents would not be allowed to petition for visitation in intact families, in families where there are no divorce proceedings pending, or where there has been no divorce, nor in cases where parents have had their own parental rights terminated, in an adoption situation for instance. If the natural father's rights have been terminated in an adoption situation, his parents are not entitled to petition for visitation for obvious reasons. Now granting that, understanding that visitation can be petitioned for in those three situations, there are the following safeguards that are present in this bill--number one, the grandparent has the burden of establishing that there is currently, or has been in the past, a significant beneficial relationship between the grandparent and the child, number two, the visitation must be in the best interests of the child, and, number three, the grandparent has the burden to establish that the visitation will not interfere with the parent-child relationship. So those are the three safeguards that are there. Number one, there has to be a significant beneficial relationship, either past or present. Number two, it must be in the best interests of the child for the visitation. And, number three, it must not interfere with the parent-child relationship for the visitation to be granted. Now, finally, attorney fees are allowed the grandparent in an enforcement action, where visitation has been previously ordered but not granted. The amendment also spells out the procedures for obtaining visitation, including a statement that attempts have been made to reconcile the dispute before coming to court. So that is a brief explanation of what the Lowell Johnson-Hoagland amendment provides. It is basically a rewrite of the committee amendments. It contains most of the essential elements of the committee amendments in somewhat different form. I'd ask for the adoption of the amendment. Thank you, Mr. Speaker.

SPEAKER NICHOL: Senator Vickers, please.

SENATOR VICKERS: Mr. President, as Senator Hoagland just indicated, this is a redraft of the committee amendments,