

SPEAKER NICHOL: We have an amendment to the amendment.

CLERK: Mr. President, Senator Chambers would move to amend the Lowell Johnson-Hoagland amendment by striking Section 3, subsection (3).

SPEAKER NICHOL: Senator Hoagland...Senator...

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature,...

SPEAKER NICHOL: Excuse me, I called you Senator Hoagland. Senator Chambers.

SENATOR CHAMBERS: Okay. Now I'm going to say like everybody else says, I've been called far worse things, so I don't mind that at all. If you want to find the language that I'm striking, it is on page 934 of the Journal, and I will read it in case you are not right with me. "The court may award the grandparent reasonable attorney fees and court costs incurred while seeking to enforce court ordered visitation rights." Members of the Legislature, while I was upstairs I heard Senator Lynch talk about this being a bill devoted to the rights of children. But it certainly is not that, and it was not presented as that when it was first offered. They talked in terms of grandparents having a lot of time, they know things and have learned from their mistakes and can give something to the child. It only became a recent inclusion, the part about it being grandchildren's rights. But what I'm talking about here relates to a right that a parent does not have. Senator Hoagland, Senator Lowell Johnson, and apparently Senator Lynch feel that grandparents should have more rights in a court than the parents have. Why talk about the extended family when you are not even going to look at the actual nuclear family. So my amendment would strike the language that allows attorney fees. This is an incitement to litigation. It places a financial interest in these types of cases. You create an entirely new area of litigation in the realm of domestic relations by telling lawyers there will be a guaranteed payoff if they come into this type of situation. Knowing that there is hostility that pushes these grandparents to go to court and use the coercive power of the state in the first place let's you know that there could be some problems in these visits occurring, just as