

SPEAKER NICHOL: The amendments are adopted. Now we are back to the bill, aren't we. You have another motion? All right.

CLERK: Mr. President, Senator Chambers would move to indefinitely postpone the bill.

SPEAKER NICHOL: You want to take it up today? Okay. Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, there are a lot of bad things a Legislature can do when making laws. But one of the worst things it can do is to put on the books a piece of legislation that appears to do something when in fact it does nothing. I'm going to look at the terms of this bill as it stands now. Senators Johnson and Hoagland have talked about what they call three safeguards, and all three of these elements must be present before a court, in its discretion, can grant visitation rights to a grandparent. They mentioned a beneficial relationship which had already been established between the grandparent and the grandchild. They have eliminated a very large category of youngsters because if we are talking about infants there can have been no relationship established between the grandparents and the grandchild. So in all cases, where the child may be too young for any relationship to have developed, there can be no visitation rights granted there. Even as the child grows older, if the hostility between the grandparent and the parents of the child continues unabated, no relationship could ever be established. So in those cases where we are talking about children too young for a relationship to establish, or have been established, there can be no visitation, even under a bill such as this. The second provision was that the best interests of the child would justify such visitation. This provision is almost meaningless. It sounds good and it always is utilized by those who are pretending to be concerned about children. But, like a rubber band, it can be stretched and contracted to mean as much or as little as anybody wants when they are trying to achieve a given result. So that is a term that has no true meaning. The third one does have significance. There has to be shown by clear and convincing evidence that the parent-child relationship will not be interfered with if you grant these visitation rights. It is clear that the parent-child