

SENATOR LANDIS: But that is the end of it. They just say, this is a relationship we want to have. You notice that the name of this bill is not children's rights, it's grandparents' rights. Now, for children's well being when you get into a divorce situation and there is a noncustodial parent, that parent not only has the right to visitation but the obligation to help with the raising and the supporting of the child. But in the grandparents' case, the claim is, we want to have the benefit of the child's presence. We want to have those photos, we want to have that Christmas package opening and I can understand that down to the last atom of my toe. But, you know, it is just not analogous to what this whole thing is modeled on because with the benefit of a child and with the loving and caring relationship with the child, a parent assumes a legal responsibility to care for that child and even though not in the home, he has got to put the money out to make sure that child has the things of life. Now, the phrase "necessities" here is, in fact, a legal term and what we are talking about is food, we are talking about clothing, we are talking about shelter and it has been expanded in recent years to cover in some cases education. But we are not talking about fripperies. We are talking about the necessities of life and I ask you whether or not a grandparent ought to be entitled to a legally enforceable visitation right and at the same time permit a child to go without necessities. Why should a court have the power to grant only the benefit of the child's relationship and the child's presence in the home of the grandparent and not at the same time be able to say, you know, you have this loving, caring relationship, the child is going without necessities, you are an appropriate guarantor of that child's well being. We are going to levy against you a child support obligation. This support obligation is only against those grandparents who have succeeded in obtaining a visitation right. It is only limited to the necessities of life and it seems to me the other shoe and I want to know whether or not this list of grandparents' rights about their grandchildren include the responsibilities for those grandchildren, particularly if those grandchildren are going without the necessities of life. For that reason, I have advanced this amendment and I offer it in good faith to make the bill analogous to the situation when at a time of divorce you have to choose between a custodial parent and a noncustodial parent.

SPEAKER NICHOL: Half a minute.