

rights even where both parents are alive and in custody of the children. I am not very much in favor of this bill, but I think if we are going to have this bill, that it at least should be logically consistent. The main point, of course, the key point in the mind of the judge and hopefully in our minds are the best interests of the child, and it is not hard for me to imagine that perhaps it is in the best interests of a child to see one or the other of his grandparents even if both of the parents have custody. I would also remark that as Senator Johnson remarked that this amendment would not lead to estrangement between grandparents, or between parents and their children, because if there is a situation where the grandparents are suing for visitation rights, then the situation is essentially a destroyed relationship anyway. So, essentially all I am saying is that let's be logically consistent, and let's apply...let's let the court decide in all cases whether it is in the best interests of the child to allow a grandparent to see the grandchildren because the question really is the situation of whether there is one or two parents in custody really doesn't make any difference. Thank you.

SPEAKER MARVEL: Senator Nichol, do you wish to speak to the....Senator Johnson first. Senator Johnson.

SENATOR JOHNSON: Well, Mr. Speaker and members of the body, I do have to oppose and I will oppose Senator Beutler's amendment. Senator Beutler said simply that we ought to just go whole hog on this bill and say that every grandparent shall have standing to go to court and bring into the court the parents of the grandchild so that visitation rights can be established, and it doesn't make any difference if....it doesn't make any difference whatsoever if the family is a happy family, getting along well together, and if the grandparents want to go to court they ought to be able to go to court for visitation rights. Now, there comes a time when we intrude too much, and if we have an intact family, if we have a marriage that is together, we have a man and a woman that are married, living together, they have got their children, it will be wrong for us to allow a third party in effect to encroach in any way on that relationship. I can draw lines and I am prepared to draw lines, and the lines that I have been drawing in this measure are lines that separate the single-parent family from the two-parent family, and Senator Beutler would draw the line in a different place. He would say, I don't give a darn how the family looks, I think grandparents should have these rights. That is wrong. It is the wrong thing to do. A number