

SENATOR BERNARD-STEVENS: Not your amendment, but I mean if it was incorporated into the bill...

SENATOR ASHFORD: It wouldn't require which parent, it would be up to the minor child to make that decision, and the language is what is now in statute, so it's adopting current law and putting that in the new law.

SENATOR BERNARD-STEVENS: Okay, now I'm trying...I'm...I'm just at a quandary now here, and I'm really not trying to speak against the amendment. I'm just trying to clarify my own mind, truly, Senator Ashford. But are we talking biological parent or guardian?

SENATOR ASHFORD: It would not strike any of the language concerning guardian.

SENATOR BERNARD-STEVENS: Okay, so it would have to be guardian.

SENATOR ASHFORD: If there were a guardian, it would be notifying the guardian.

SENATOR BERNARD-STEVENS: Okay, so if we're in a divorce...after a divorce situation it would be the parent who had custodial...

SENATOR ASHFORD: No, it would be either parent because I don't think you can make the judgment...I don't think we, in the Legislature, can make the judgment who would be the proper parent, custodial or noncustodial.

SENATOR BERNARD-STEVENS: So, if we went to the one parent, it would be very possible that I, as a parent, if I had been divorced and I had my son in my custody, then I was the custodial parent, that the parent who did not have custody of the child would in fact...could be the one that would be informed that would make...that could make this decision.

SENATOR ASHFORD: It's possible, but in my...in balancing the notifying that person or nobody at all, I guess...I fall down and at least notifying somebody. The experience in Minnesota was they wouldn't notify anybody, so we ought to encourage them to notify somebody.

SENATOR BERNARD-STEVENS: Then, Senator Ashford, one other question and then I'll be finished on this. That would be, in