

words that are changed, and it's the language in lines 13 and 14 that says... that adds the words "and the child was born out of wedlock". Okay? Now, going back to Section 19 of the bill, this is a section of the bill that has nothing to do with adoptions. I'm not familiar with the history of... of how it all came about, but it doesn't have to do with adoptions, and the original language was the current... and the current law is that the mother and father are the natural guardians of a minor child and are dully entitled to the custody and to direct their education, et cetera, if not otherwise unsuitable. And it says if either dies or is disqualified for acting or has abandoned his or her family the guardianship devolves on the other. So it follows the natural law that if one natural parent doesn't have custody then, barring any circumstances that can be proven that would be adverse, the presumption is that the other natural parent will... will take over and be the guardian. Section 19 though in this bill changed that presumption by adding some criteria whereby if the custodial parent died she could leave... you can read through this material, but basically it allows for ner to say in her will to designate somebody other than the natural parent as guardian and the court shall take that into consideration and then some more procedures. So basically it changes the law and that it seems, and I'm not sure how it all would operate and I don't think the proposers of the amendment are all together either, but it changes it so that the natural parent is no longer the presumed new guardian but rather there's some kind of hearing, if the courts and parties involved so choose, to determine on a kind of equal basis whether the other parent or some other party, maybe a grandparent most likely, would be the new guardian of the child. What my amendment does is to distinguish between two sets of circumstances. In the circumstance where there's children born in wedlock and there's been a divorce, what the amendment says is that this new law is not going to apply, that the old law is going to apply that assumes that the other parent, the other natural parent is the new guardian of the child. In other words, it's... it's going to affirm that the noncustodial parent didn't lose his status as natural parent simply by virtue of having gone through a divorce proceeding. But with regard to children that are born out of wedlock then these new procedures would apply and you're placing that kind of a parent on a more equal basis with others who might have an interest in being the guardian of the child. And it seems to me, my original inclination was to strike Section 19 altogether because I'm not really in favor of changing that assumption. I think the assumption that the natural parent is