

this language would be stricken.

SPEAKER WITHEM: Thank you, Senator Chambers. Would recognize, under the north balcony, Senator Robak has some guests. John, Connie and Carla Underwood from Columbus, and Juan Moya from Bogata, Columbia. Would you please all stand. Senator Bromm, on the Beutler amendment.

SENATOR BROMM: Thank you, Speaker Withem and fellow senators. I rise to support the Beutler amendment and I would like to ask Senator Beutler a couple of questions maybe to get a couple of things on the record.

SPEAKER WITHEM: Senator Beutler.

SENATOR BROMM: Senator Beutler, I, too, had some concerns about the original language that was in here, and I appreciate the fact that you've taken the time to address it. As I understand it what your change does is distinguishes between the situation where you have a parent, a custodial parent that dies leaving a natural parent that has never been married to the deceased party versus where there has been a marriage and a divorce and custody has been awarded to the deceased parent, is that correct?

SENATOR BEUTLER: Precisely.

SENATOR BROMM: And I think that's a proper distinction in this case. I also would like to point out or ask you a couple of things. In these cases that I've been involved with in the past the court's decision ultimately, as to who should be appointed guardian, is based on what is in the best interests of the child. That is the paramount consideration, irregardless of...we've got language in here about what the court should consider. The court should consider whether the parent has acknowledged paternity, whether there's been payment of child support, whether the natural parent is a fit, proper and suitable custodial parent for the child and those are considerations. However, isn't the overall paramount consideration still what is in the best interests of the child?

SENATOR BEUTLER: Absolutely. I don't...the language that you have just read, of course, was not my language...

SENATOR BROMM: Right.