

child that is a result of sexual assault or incest. His amendment would plug this provision into the notice provisions. There also already is another provision in Section 17 that I don't think I previously pointed out to you that provides seven instances in which consent of the biological father is not required. And on page 12, under paragraph 5, one of the situations in which consent is not required, and I quote 5, the child was conceived as a result of nonconsensual sex act or incestuous act. So the intent of the bill is in keeping with your amendments and I think your amendments are good and a very good clarification. I would like to respond to some of the comments made by Senator Witek and Senator Crosby. This bill really doesn't place any additional burden on the biological or birth mother. The present procedure by all of the responsible agencies is to consult with the mother, counsel her, and as a part of that counseling they ascertain who the father is because to protect the adoption from potential judicial attack now they want to know who the birth father is and they go out and they get a relinquishment from him. Now, the whole purpose of this is to protect the validity of an adoption so that it is a viable alternative to the things that Senator Dierks refers to. We want to strengthen the adoption procedure so that adoption is something that people want to and so that couples want to adopt and don't have to worry about the permanency and effectiveness of the adoption. Senator Witek refers to bringing the state into the picture, that's not really accurate because the state is not involved. It would be primarily the adoption agency that is handling the birth mother and then the attorney representing the adoptive parents who would attempt to ascertain who the natural father is so that they can get a relinquishment from him, and in the vast majority of cases probably 99 percent of the cases that's exactly what happens. But in a situation where the birth father is not known, you always run the risk that he could come in at some later date and the wait to cut him off in that instance is to give him notice and give him his right to his day in court. If he doesn't show up within the rather restrictive time limitations then he is...he no longer has any rights and he can't come back in and attack the adoption. And that makes the adoption more secure and more inviting to people. I likewise am concerned about the confidentiality issue, but really that's no different than what's being done now. Now in the period of time when the birth mother is consulting usually with the adoption agency or with the attorney, that's a confidential relationship, and this bill does not permit any breach of that confidentiality at all...