

SENATOR MATZKE: That's correct. Ah,...

SENATOR BROMM: Is it possible to summarize what the primary concerns or reservations were of those who felt they couldn't support the bill?

SENATOR MATZKE: There were attorneys who really wanted to leave the law exactly as it is, with the five-day limitation. And as you undoubtedly know, under the present statute no consent is required if the biological father has failed to file a notice of intent to claim paternity within five days of the birth of the child. And that is the statute that's been held constitutional in one case, and unconstitutional in another case. Probably, in 95 percent of the cases, up until now that would work. But...and...and there's a great number of people that like that for its simplicity and the fact that it just absolutely is about as strong and firm a position as there is in any state law. But the problem is it's already been held unconstitutional in one instance. And in the recent Court of Appeals case that was decided in December, the Savage case, the county court, the district court and the Court of Appeals didn't even debate it, they just assumed in the opinion that it was unconstitutional.

SENATOR BROMM: Okay. I would like to... I would like to state for the record that my concern in this process and in changing the law is, I have to confess, weighed somewhat heavily in favor of the adopting parents and their...and the child and their welfare, it's weighted "heavilier"...it's weighted heavier in that direction for me than for the father who doesn't, for one reason or other, choose to get involved with the birth of the child and the responsibility for the child. I don't have a great deal of sympathy, although I know there can be reasons for that in cases, but as a general rule I don't have a lot of sympathy for that. But I notice in...on page 6...

SPEAKER WITHEM: One minute.

SENATOR BROMM: ...of the bill, the...the publication that would be required to be placed in a paper of general circulation in the county which is most likely to provide notice to the biological father. And this would be, of course, if you hadn't been successful in contacting him. But it includes the first name of the father or possible father, a description of the father or possible father, if the name is unknown, the approximate date and place of conception of the child, date of