

statute, to then make an independent investigation and attempt to locate the biological father. He has to report to the court within 20 days. If that procedure is followed, you're correct, a court could go ahead and finalize the adoption without the biological father ever having been given actual or constructive notice.

SENATOR HALL: Is that...once the court finalizes the adoption...

SPEAKER WITHEM: Time. Would like to recognize that Senator Hall has some guests in the south...in the north balcony, 18 fourth graders from Central Christian School in Omaha and their teachers. Would you please stand and be recognized. Senator Wesely, followed by Senacors McKenzie, Matzke, Bromm and Witek.

SENATOR WESELY: Thank you, Mr. Speaker, members of the Legislature. I know there has been a great deal of discussion about the details of the bill. But some may have a fundamental concern still about what we're trying to accomplish here. And I want to reiterate again, not in terms of legal terms, but in terms of human terms, we have a situation that is a time bomb ready to go off. It almost went off with a case in Lincoln, just last year. And the irony of it again is that we asked whether or not we had a problem with Baby Jessica, and the indication was, no, that won't happen here, nothing to worry about. We had the hearing on the bill that we had last year, LB 1318, and at the hearing a young lady named Jessica Bab came forward and said, boy, this bill really ties into something I'm going through right now. She had a baby, she was from Minnesota, she decided to put the baby up for adoption, then shortly thereafter, around that time frame indicated to the father of the child that she'd done so, had not directly informed him that she had done so. The father wanted to have custody of the child, went to court, as did Jessica Bab. The court did, at the district court level, rule against the father and did give custody to the adopting parents. But in talking to the attorney who did come and testify before the Health and Human Services Committee, although that was their ruling at the district court level, he believed strongly that had the father the resources, the financial resources to pay for an appeal, that the attorney felt every confidence that based on the other rulings around the country that our Supreme Court would have ruled in favor of the father who had not been given direct notice. So that time bomb that we didn't think was ever going