

April 7, 1995

LB 712

CLERK: Senator Brashear voting yes. Senator Pedersen voting yes. Senator Schmitt voting yes. Senator Coordsen voting yes. Senator McKenzie voting yes. Senator Dierks voting yes. Senator Janssen voting yes.

SPEAKER WITHEM: Record.

CLERK: 26 ayes, 0 nays on adoption of Senator Kristensen's amendment.

SPEAKER WITHEM: The Kristensen amendment is adopted. Next item, Mr. Clerk. Call is raised. Next item.

CLERK: Mr. President, the next amendment I have to the bill is by Senators Matzke and Bromm. Senator Bromm would actually like to add his name. It's AM1371. It's printed on page 1450 of the Journal.

SPEAKER WITHEM: Senator Matzke, to open on the amendment.

SENATOR MATZKE: Mr. President and members of the Legislature, in the interim study and in the discussions we've had regarding our adoption law many times it was said there will never be a Baby Jessica case in the State of Nebraska. Well, yesterday there was before the Nebraska Supreme Court. I think probably many of you saw the news story on the front page of the World-Herald involving two children, ages 5 and 8. Our court of appeals and the district court before it had ordered that these two children be taken out of their home and returned to a biological father after spending three and a half years with their adoptive parents. This shakes the faith of every Nebraskan in our adoption law, an adoption law that our Supreme Court has said is unconstitutional. We have tried diligently through the last six months to arrive at a solution to this problem which is essentially a procedurally problem and I would like to report to you what we have done since this matter first came before this body on General File. There were a number of very legitimate questions raised on General File and by some very thoughtful members of this body and over the last few weeks I have worked with Senator Bromm, Senator Stuhr, Senator Jensen and Senator Witek also attended one of our meetings. I can't even add up the number of times that we have met and I have discussed with each of them their various proposals and as a result of those conferences we put together AM1371 which is