

as to whether or not it was appropriate or proper to have a hearing, but it could be. I think it would more likely be prior to the final order of the court in the adoption.

SENATOR SCHIMEK: But isn't that kind of what this bill is all about, Senator Matzke, I see Senator Matzke is shading his head.

SENATOR BROMM: But it's like saying you can't ever sue anybody, but you might sue anyway, you know. You might not get to first base, but you might file a petition. Nobody can prevent you from filing a petition to sue someone even though we might say in a law you can't sue.

SENATOR SCHIMEK: Okay, but this says at any hearing to determine a biological father's parental rights to the child, the court shall receive evidence with regard to the biological father's actual paternity of the child, et cetera, et cetera. That obligates the court then to have, I mean, to consider evidence, right?

SENATOR BROMM: As Senator Matzke said, the purpose of the section was to provide a road map for the court so the court would know how to proceed if this situation came up where a biological father came in to claim their rights. Then the court would know this is what we do and these are the things and factors that we look at, and that's what Section 17 is all about.

SENATOR SCHIMEK: Okay, I guess I'd like to ask Senator Matzke then because he was shaking his head no when you were shaking your head yes, so, Senator Matzke, would you answer that question about this being a hearing prior to the finalization of the adoption.

SENATOR MATZKE: Okay. I think you have to go back to the prior section, Section 15.

SENATOR SCHIMEK: Right.

SENATOR MATZKE: Section 15 is the hearing on the petition to finalize the adoption and that...well, you have to read the whole section. It says, if, after viewing the evidence submitted to support a petition to finalize an adoption or any evidence submitted by a guardian ad litem if one is appointed, the court determines and then the court determines no biological