

into consideration. If you insert the word "any" hearing it could mean that there would be more than one. There could be one hearing 30 days down the line. There could be another hearing 10 days after that and a third hearing after that and then the word "any" comes into play, at any one of these hearings. If you say "the" hearing which is one of those pronouns which is very specific, I think it's...it's something or other, I was trying to get a little attention, I did see some people look up then you have got a situation where all things considered, one hearing is involved, it occurs only if the father has undertaken certain activities and gone through certain steps, so I'm not sure that I will vote to strike this language. Let me ask Senator Matzke a question because I missed some of his discussion. Senator Matzke, are you in favor of striking this Section 16?

SENATOR MATZKE: I guess if I had my druthers, I'd druther keep it.

SENATOR CHAMBERS: Okay, so if I vote against striking it, I will not necessarily be voting in a way that would hurt the bill. Based on my understanding, I don't think the language should be stricken and I want to be sure that in a discussion with you, you assure me that if we keep that language, we're not hurting the bill or deviating from your intent.

SENATOR MATZKE: I don't really know that Section 16 is that critical. It's just sort of a road map and there is some language and Senator Bromm has convinced me that some of the phrases in there could be misconstrued by a court, particularly the reference to right to counsel and the word "shall". The word "shall" might be interpreted by some court to require a second hearing and there is no intent to do that.

SENATOR CHAMBERS: Okay, should a person have a right to counsel under these circumstances?

SENATOR MATZKE: Oh, certainly, they've got the right to counsel. The only question we got, we have, is that we do not believe the court should be put under the obligation to appoint counsel for the biological father. He certainly has the right to counsel and probably would in almost every case.

SENATOR CHAMBERS: If the father lacks money, you're saying that the biological father should not be in a position to have the