

April 11, 1995

LB 168, 712

CLERK: I have a quorum present, Mr. President.

SPEAKER WITHEM: A quorum is present. Mr. Clerk, do you have any items for the record?

CLERK: Just one, Mr. President. I have a corrected E & R report with respect to LB 168. The bill was reported to Select File yesterday. That's all that I have, Mr. President. (See pages 1609-10 of the Legislative Journal.)

SPEAKER WITHEM: Mr. Clerk, we will return then to LB 712. What do we have pending on that bill?

CLERK: Senator Bromm has an amendment pending, AM1446, found on Journal page 1535, Mr. President.

SPEAKER WITHEM: That's the amendment, we were considering when we adjourned, let's just continue debate on that. Senator Bernard-Stevens, your light is on. Senator Bromm, would you like to close on your amendment?

SENATOR BROMM: Thank you, Mr. Speaker. Members of the body, to quickly refresh your memories as to what this amendment does and bring us up to date, this amendment, 1446, which is in the Journal, would strike Section 16 of the bill or what is now the bill. And that section basically says that if a biological father or person who claims he is the biological father appears at the adoption hearing and wishes to assert his paternity rights and seek custody, the court shall set a date for the hearing. Now if all parties agree, the court could immediately commence the hearing, but if that person did not agree to commence the hearing at that point, the court would have to presumably delay the adoption hearing and set a later hearing date to hear the testimony regarding the issues. It also provides that the court shall inform the man claiming to be the father of any right to counsel. I had some problems with the section, considered making some amendments to try to clean it up, change it. Finally decided, maybe we're just better off striking the section. I don't think we need it. The court can do all of the things that this section says without having it there, and, by having it there, it gives us the inference that even if the father had been given notice prior to that through the prior sections of the bill, notice by registered mail, notice by publication, perhaps even if he had filed and registered in the registry with the Department of Social