

SENATOR CHAMBERS: Well, then if I'm willing to remove this terminology with you where the mother need not exercise due diligence, would you be willing to say that the father must be in substantial compliance with these terms, as you say about everybody else who is affected by the terms of this bill?

SENATOR BROMM: I guess I would want to think about that. I don't know why, offhand, why I would have a problem with that.

SENATOR CHAMBERS: Okay. That's reason...if you would agree to that then I would...

SENATOR BROMM: Well, I'm not agreeing to it, I said I would be willing to think about that and talk with you about it.

SENATOR CHAMBERS: Well, if you take away the requirement for the mother to exercise due diligence, would you be willing to make the converse statement affirmatively...

SPEAKER WITHEM: Time.

SENATOR CHAMBERS: ...for the man, that he need not exercise due diligence?

SPEAKER WITHEM: Senator Matzke.

SENATOR MATZKE: Mr. Speaker and members of the Legislature, I think we're talking about two different things here. I agree with Senator Bromm that the bill requires the mother to state under oath the facts set forth in the affidavit. The substantial compliance modification does not actually modify the duty to tell the truth in the affidavit. The substantial compliance deals with the court looking at the evidence of compliance with Sections 1 through 9 of the act, in other words, the substantial compliance with the procedural steps. The bill, I think, comes down equally, places an equal responsibility on the...on the biological mother to tell the truth in the affidavit and also specifically requires certain acts by the biological father in order to perfect and to protect his rights. And I would oppose any change in the language regarding substantial compliance. Substantial compliance is a phrase that is usually used when it refers to what the duty of the court is to find if...that there is not, you know, absolutely perfect compliance with the procedure but substantial compliance with