

May 3, 1995

LB 712

guess Senator Matzke should have the ability to see if his bill has the votes to be advanced on to Final Reading because he has been very willing to work on the issues as shown this morning, as well as on General File on the proposal. But I feel compelled to offer this compromise or this, I guess, alternative rather, would be a better way to put it, and it is the agency's version of the adoption process and that's probably the simplest way to explain the measure. It does a number of things that have already been amended into LB 712. Some of the changes that are in here are a part of 712 right now. There's even at least one change that I'd probably have, if this amendment is adopted, I'd have to reconcile the language that was in 712 and come back and redraft it. But it contains the affidavit provision. It contains the notice provision. It deals with it in a little different way in that it's certified mail to the addressee only, but it has the notice. It lists the content of the notice with regard to the issue of information and who's involved. The...we don't have the notice for publication in this amendment. The probably principal difference in the proposal is the guardian ad litem and it is not contained in this measure as it is in the bill that's currently before us, as has been amended. There is a, again, a statement of legal risk as is listed in Senator Matzke's bill. There is the petition filing requirement that I believe is consistent with the measure that's in LB 712, or similar again. There's the establishment of the registry, which actually was the amendment I think I offered to the proposal. But the principal difference in these two, and I know that Senator Matzke and I have talked about this amendment and he'll speak to other issues that he feels are different about it, but the principal difference is, is that there is no guardian ad litem provision. The measure is one that I think needs to be addressed. There has been a lot of discussion about the... the process that took place over the interim, the public hearing and the groups that met on this. Frankly, whether you agree or disagree with it, folks from the adoption agencies feel that their opinion has fallen on deaf ears for the most part. Now I would argue that Senator Matzke personally has been very willing to work on these issues and, as I stated, a number of them have been incorporated in the bill, but they're issues with regard to changes that need to be made, are embodied in this amendment as the adoption agencies have requested and I've agreed to run them and argue on their behalf saying that this is a step toward the direction that 712 would have us go, but it is not a complete step. As others have said, the issue of, for example, the guardian ad litem is one that currently could be allowed now.