

the courts that fathers have some rights to be notified, that they have some rights to claim paternity if they so desire have been acknowledged in state after state, the Illinois case, the Baby Richard case we just hear about over the weekend, and what this bill does is attempt to say we've got to plug that hole in our law, we've got to put a process in place, and I feel that this is, the bill that we have before us, LB 712, has gone through many hearings and considerations and I would ask... I would ask that you reject the Hall amendment and support the bill as it is. I think it's the best solution to the problem we've identified. Thank you.

SPEAKER WITHEM PRESIDING

SPEAKER WITHEM: Thank you, Senator Wesely. Senator Matzke.

SENATOR MATZKE: Mr. Speaker and members of the Legislature, I compliment Senator Hall for being forthright and gentlemanly about it. He's absolutely honest his amendment would gut this bill. It would cut either 11 or 12 sections right out of the heart of it and we'd be left with a bill that doesn't do anything. First of all, and I would ask Senator Hall to check me on this and contradict me if I'm in error, but as I analyze his motion to amend it would eliminate Section 4 of the bill which really would save a lot of time. Section 4 says that the adoption can be finalized if the mother lists only one biological father and he executes a valid relinquishment and consent to adoption. Under Section 4, if you meet that requirement, there's a relinquishment. The affidavit only identifies one father. That's all the further you have to go under the bill. All you have to comply with is the first four sections and you don't have to get into the other notice provisions. But Senator Hall's amendment would strike out Section 4 and further complicate the matter. His amendment would also strike out Section 7, which is the provision for notice by publication where the... either the identity or the address of the biological father is not available. That's really the heart of the bill. Then, additionally, Senator Hall's amendment would strike out Section 9, which provides that the attorney or agency must file an affidavit with the court saying they've used due diligence. Now I can understand why the agencies don't want to do that. They don't want to have to come into court and say that they've used due diligence to perform their duties, but I think that's something that has to be done if we're going to have binding and final adoptions. Also,