

January 16, 1980

LB 483

SENATOR KELLY: Mr. President, I have a motion on the desk for amendment of the Johnson amendment.

CLERK: Mr. President, Senator Kelly moves to amend: Read Kelly amendment found on page 287, Legislative Journal.

SENATOR CLARK PRESIDING

SENATOR CLARK: The Chair recognizes Senator Kelly.

SENATOR KELLY: Senator Clark, members of the Legislature, the point that is being made by Senator Johnson is that only to the list of parent, stepparent, spouse, brother, sister, half brother, half sister are the only qualified persons that could receive a direct placement. My amendment to the Johnson amendment would leave Section 21 and Section 23 intact as the committee amendment has them in your bill book. I would include after half sister another section which would be a sub (H) and it would say a court approved adoptive parent whereby direct placements could go from the professionals, from the parent to potential adoptive parents that would be approved by the court prior to the procedures being in place. This possibly would allow more flexibility that Senator Johnson would desire and that I would desire but at the same time having everything screened ahead of time for the acceptability of the transaction as well as the people involved. I move the adoption of my amendment to his amendment.

SENATOR CLARK: The motion is the adoption of Senator Kelly's amendment. Is there anyone who wants to speak on the amendment? Senator Johnson.

SENATOR JOHNSON: Mr. Speaker, Senator Kelly's amendment, as I understand it, and Senator Kelly just showed it to me very hastily, is one that would take this little section that we are talking about, Section 23, subsection (2), and after subsection (G) would add the word, I believe, "court approved adoptive parent", and as I understand what that would then do, would say that a parent could directly place his own child with a court approved adoptive parent. That is how it would then read. Now the problem is that that doesn't fully reflect the reality of the situation because customarily in my opinion I would conclude that Senator Kelly's amendment would require advance approval by a court of a prospective adoptive parent so that the parent could make that private placement. Well, that is not the