

March 15, 1976

perhaps a life could even be saved. It is not often you can reach back from the grave and do something good to nullify some of that evil that all of us do while we are here walking around in shoe leather, but this in a sense gives that opportunity and I don't think anybody should be allowed to revoke the wish of a person after that person is dead, provided that the gift is properly made by a person who is sane and capable of making that gift and the gift is made in accordance with law and other safeguards. Those things being so, Senator Stull, I regret to say that I must oppose your amendment though I understand why you are offering it.

PRESIDENT: Senator Stull, would you close debate, please, on this amendment.

SENATOR STULL: Mr. President, members of the Legislature, I think we should get back and look at the amendment and there is three reasons why this could be revoked and it is for religious, emotional or other reasons. Now I think in most instances or all instances there would be a funeral so the funeral directors actually have nothing to lose really but I think that we are putting them in a real awkward position where they might come up the day of the funeral and some members of the family would say, no, we are going to go ahead and have a burial for this person and I think it would be just a real bad situation, if we actually don't adopt this amendment. Now Senator Luedtke referred to the fact that he had drawn wills and I would just...he didn't state how many times that they had problems the way that the statute is at the present time and that is what I am trying to do is just keep this provision in the statutes as it now exists. Thank you.

PRESIDENT: The question is the adoption of Senator Stull's amendment to LB 764. Record your vote. Record.

CLERK: 6 ayes, 28 nays, Mr. President.

PRESIDENT: Motion fails. Anything else, Mr. Clerk.

CLERK: There are no further amendments, Mr. President, on this bill.

PRESIDENT: Senator Dworak, would you move the bill, please.

SENATOR DWORAK: Mr. President, I move that LB 764 be advanced for engrossment.

PRESIDENT: Discussion. All in favor say aye. Contrary say nay. The bill is advanced.

CLERK: Mr. President, LB 920 has no E & R amendments. The bill was first considered on March 9th and laid over until today. I think out of courtesy to Senator Stull who once had offered an amendment to this bill and then withdrew it. So there are no amendments on the bill.