

living will legislation is a tremendous propaganda tool for shaping public attitude toward active euthanasia. Thank you.

SENATOR LAMB: The Chair recognizes Senator Miller followed by Senator Barrett and Senator Marsh. Senator Miller. I don't see Senator Miller. We'll go on to Senator Barrett. Is Senator Barrett available? If not, Senator Marsh is our next speaker.

SENATOR MARSH: Thank you, Mr. Chairman, thank you, ladies and gentlemen of the Unicameral Legislature. We're talking in generalities and I'd like to talk in specifics. I'm talking about a family who did gather at the bedside. I'm talking to share with you that it's not the family who makes the decision, it's the one person who has the legal right in the State of Nebraska now and if there is a spouse, that is the person who makes the decision. The children do not have a voice. The children might physically be there, but it's the spouse and the doctor who make the decision. And the child of whatever mature age does not have a right to make that decision even when the child is perfectly aware that there has been a living will which is not binding in our state and an individual may be put on life support against the wishes of the person who has just had a stroke and no longer can speak. You can force that person to live another six hours on a lung-heart machine in great pain, knowing, knowing that death is the ultimate of what will happen very shortly, but why force even six hours and it may be six days for someone else, or it may be even six weeks for someone else. Most of you are aware a physician does not lightly say, this case is terminal. That physician has to be able to defend that to the hospital board of inquiry. We are not going to have this used for euthanasia. Our laws do not in any way allow that now, nor would they under LB 88. That issue is a moot point. It is not part of the legislation we are discussing. Why do so many senior citizens want this legislation? All of us will die but they are perhaps more aware that the time is drawing nearer. Most of us don't expect it when we're in our teens or twenties or thirties and yet there are teens and twenty-year-olds and thirty-year-olds who die. If all that is said about the suggestions to the physician were the deciding factor, I might be supporting to kill the bill. I know that those are not the issues. I know that the State of Nebraska needs to respond to its citizens. Its citizens want this legislation. I want safeguards in this legislation. You want safeguards in this legislation, but saying things that really are not applicable to this situation is not the way to defeat something you personally