

unable to determine whether or not this motion would be successful. And because I wasn't sure the bill could get out, I didn't declare it as a priority. I wanted to. I'd treat it as my priority, and since it was unclear that the measure would succeed from the committee or by a floor pull, I chose another bill of importance as well to me to make as a priority. I run the risk of having the same situation occur next year. At the beginning of the year, should I introduce another bill? Should I have another public hearing with the same exercise, bring all the same people in, take that amount of publishing effort, time and energy from all those people? It would be difficult to do and I think, probably, would be a waste of the Judiciary Committee's time in a sense that they certainly know the issues and they have had a chance to wrestle them for a number of years. The virtue also then for me is to know that this issue would be on the floor, as is the durable power of attorney issue, which has been reported out by the Health and Welfare Committee. It would allow me to then be sure to designate the living will as a personal priority bill and to make sure that the body had a chance to wrestle with, shape the bill, make amendments, and, hopefully, pass it. In addition, it would allow us, if this bill is on the floor, to begin substantive talks among all the members of this body, who have interests and concerns about the measure, to make a body of amendments that perhaps could be agreed to, livable, and at least reduce some of the concern about the issue. Let me tell you what is in the bill, briefly, but actually I don't regard this as a vote on whether you are for or against the living will. I hope that we will treat this as a way of handling, in an orderly fashion, the procedural difficulty of taking this measure and allowing it to be in a format that its introducer will know whether or not it can be a priority bill in the coming session. If this motion fails, by the way, our rules operate that the bill is killed. That, too, clears the decks and we will now know how to proceed if we can simply vote and determine the fate of this measure. Let me go through the bill with you and talk about some of the things that are in the bill. It is based on the Uniform State Law Commissioner's Act, which is called the Rights of the Terminally Ill Act. There are variations and changes. In the first place, we indicate that since that drafting of that uniform act, the Cruzan decision has come down creating a constitutional and common-law right for individuals to go to court and to see to it that medical procedures are ended on behalf of individuals who allege their constitutional right to die. So to harmonize the living will with this constitutional