

Landis talked about the personal qualms of some physicians. I think, by and large, I have referred to this over a couple of years as a tort issue. There is nothing that precludes them from doing this now. It's simply a matter of doctor-patient relationship, in my opinion, and their desires in the ability to do this. I have used, as an example in committee, my mother, who had a massive heart attack. The machines were on. The doctor came to me and said we are keeping your mother alive with machines. She is brain dead. I knew what she wanted. I wasn't sure I could make that decision. He looked at me and said, I've made it. Now no one in my family considered suing our family doctor as a result of that decision because it was the right decision. And in most cases, I have enough faith in that family physician, as you and I have come to know and understand it, that they will do the right thing. With that, you will hear from some others. I would ask that you not support pulling LB 671 from committee.

SPEAKER EAACK: Thank you, Senator Chizek. We will now go to Senator Nelson.

SENATOR NELSON: Mr. Speaker, members of the body, I, too, like Senator Chizek, have had the opportunity to hear this legislation at least three years in a row, and I may take a different position than Senator Chizek, and which I do. I very much support pulling this out of committee. We all have deep religious convictions and that is our right and we choose in that area many times how we direct our lives. I will tell you that this is probably one of the biggest concerns of my people at home, particularly the elderly, the hospice, the AARP, the silver-haired legislators, and on and on down the list. They simply cannot understand why Nebraska is not in the 41 states that have some type of direction. A living will, all states have developed, most of them, some, one type or another. It simply still is dependent upon the physician to make the determination or a directive when that time comes. Remember, there are a lot of elderly people in nursing homes and so on that simply do not have any living relative to make that decision for them, or to help them when the need may or may not be. Within the bill that Senator Landis now proposes this year is put together by the National Conference of Commissioners, and it is adopted by 16 other states, very uniform, so that if you go from one state to the other, you would not have that problem. I think he has added one short term, a vegetative state. The health care power of attorney, that is another alternative, as