

threaten me and push me around without it being battery. You also cannot lay your hands on me to do me good without my consent, and that is if you are a doctor and you have got a needle and you are going to stick it in me, and I say, no, I do not want the shot, do not give it to me, the doctor should not give it to you. It perceives from the consent of the individual to control this, their body. Their right to say, no, you may not stick needles in it, you may not put tubes in it, you may not cut into it without the consent of the person, that is a basic standard right. What the living will and the durable power of attorney try to do is to secure the execution of that right even when one lapses into incapacity, by having written it down and given the instructions to individuals before that happens. So that is the first reason we need to exonerate that right. The second reason we need to do this is because the State of Nebraska is one of the very few states, that maybe as little as two, the last I saw was five, who do not have a living will and do not specifically make legal and valid this document. And the documents exist. They are being written right now by Nebraska lawyers, but if one came to the trying task of making sure it was carried out, there is inadequate legal basis upon which to proceed, certainly unclear. Our Attorney General has opined to the same end. When asked by health care providers how to comply with the new federal law which requires nursing homes and the like to offer the advanced directives authorized by the state to patients, the Attorney General said it is unclear what our law is. We do not know what the law in Nebraska is. The people of the state deserve clarity of their rights in the face of the trying circumstance of terminal illness, incapacity, and a persistent vegetative state. Madam President, how long do I have in the opening so I can...

PRESIDENT MOUL: About two and a half minutes.

SENATOR LANDIS: Fine. Let's take a quick run through the bill, in that case. Section 2 is that first idea, the recognition of Cruzan and common law rights. Section 3, which is on page 2, begins a definition section, and, frankly, we need to add here a definition here for persistent vegetative state, and there is one right now in the amendments of Senator Lindsay to LB 696 would make an excellent definition. On page 4, you will find Section 4, and this is the living will general outline. Do you have to use this exact language? No, you don't. You may use other language to the same end. You don't have to follow this word for word. This is not a preprinted form. If you wanted to