

and ask yourself, what are these instruments that we are really talking about, and I would suggest that you look again at this living will instrument, on page 4, and what is it really? In one sense, it is really a power of attorney, isn't it, because what are you saying? You are saying that when these certain conditions are met, I direct my attending physician to make a decision. So with a living will, you are giving power to your attending physician to recognize medical technologies, for example, and to make decisions in light of those technologies, which may exist in the year 2010, when this comes into effect, or 2020. That physician is going to keep up with those technologies and make a decision as to whether the condition, considering those technologies, is incurable and irreversible, for example. And I think that one can make the argument that the physician is perhaps in a better position than an emotion-wrought person perhaps close to the individual who might not be dealing too rationally with the whole situation. And in fact, for myself, I know when the time comes that, if I have the power to do it, it will be a living will and not a durable power of attorney, because I don't want to lay on one of my children or one of my relatives that kind of a decision. I would rather have it in the hands of the attending physician who has attended me all my life and can make a more objective decision. So, in the end, doesn't it always come back to what Senator Wesely has said? It is a matter of freedom for the individual to choose a living will or a durable power of attorney, in my opinion, and I always liked in this Cruzan opinion part of the dissenting opinion of Justice Brennan, which kind of got down to the emotional, underlying emotional state from which he approached the subject, and he just said, dying is personal and it is profound. For many, the thought of an ignoble end steeped in decay is abhorrent. A quiet, proud death, bodily integrity intact is a matter of extreme consequence, and a person ought to be able to make some decisions there. Thank you.

SPEAKER BAACK: Thank you, Senator Beutler. Senator Crosby, you are next.

SENATOR CROSBY: Thank you, Mr. Speaker and members. I have been listening with interest this morning to all the lawyers discuss this bill, and I have learned a few things, as always, because it's interesting to hear them bring out the points of law, in particular in bills like this where the law is going to affect us in such a personal way. There are several things that have been brought to my mind, as I've listened, and I have read