

January 30, 1992 LB 671

SENATOR ROBINSON: Thanks.

SENATOR LINDSAY: I mean I guess I can envision situations where it...I can't right now, but if you give me some time I can probably envision a situation where that...

SENATOR ROBINSON: Let's take the scenario that the living will passes and we have the power of attorney up. Do you think the power of attorney should pass along with the living will?

SENATOR LINDSAY: I, oh yeah, I support the power of attorney, I think it's a better concept.

SENATOR ROBINSON: Okay, would you, as Senator Landis was talking about, have a problem with say this...having this amendment being placed in the power of attorney?

SENATOR LINDSAY: No, I'd have no problem with that.

SENATOR ROBINSON: You'd have no problem with that. Okay, thank you very much.

PRESIDENT MOUL: Thank you, Senator Robinson. Senator Bohlke.

SENATOR BOHLKE: Madam President, Senator Lindsay, a question. I've had people ask me that if they have seen an attorney prior to this and drawn up a living will, will that, in fact, be a legal document? And I guess my question to you, this seems to make a major change, this amendment to the amendment or the amendment. Would that then...my answer to those people would be then, no, your pre-existing living will probably would not be recognized, and you would have to redo it.

SENATOR LINDSAY: No, I believe the living will would be recognized. What this does is it goes at the other end, when does the living will become operational, not what form does the living will have to take. I...as I read the bill any declaration that's been made prior to the effective date of this act would be a valid living will.

SENATOR BOHLKE: As long as it did not depart significantly from what we do, is that right?

SENATOR LINDSAY: What we're talking about here is on a question