

February 7, 1992 LB 906

and medical technology which can maintain life despite the fact brain death may have occurred. In the past, the common law had indicated once your heart and lungs stopped, you were dead, but today you can continue to keep your heart and lungs functioning with artificial machines, but at the same time have suffered brain death. And this language in this bill will verify that not only if your heart and lungs stop, but if you experience brain death, that at that point you are determined to be dead. That is the simple background on the bill. I understand Senator Dierks does have an amendment and I will be happy to answer questions.

SPEAKER BAACK: Thank you, Senator Wesely. Amendment, Mr. Clerk.

CLERK: Senator Dierks would move to amend the bill, Mr President.

SPEAKER BAACK: Senator Dierks.

SENATOR DIERKS: Mr. Speaker and members of the body, just to put your mind at ease, I intend to withdraw the motion as soon as I speak to it a minute. But I just wanted to add on line 3, page 1, page 2, I am sorry, put "only" in front of "an" when you start the paragraph, and the reason for this is just to tighten the bill up a little bit. I guess that I have had some difficulty understanding why we need this legislation. And, also, to set the record straight, it wasn't a unanimous vote out of committee because I wasn't in committee the day they took the vote, so it shows that I was, but I was absent, and it also shows that. So I should just set the record straight. I guess that if there is need for this bill, I think it should be made very clear that nothing less than this standard can constitute good legal death, however you want to put it, but I am going to withdraw the amendment and ask that it be applied to Select File in deference to Senator Landis being gone today, and also because Senator Wesely would like for us to do that. So I'd like for you to withdraw that amendment, please, Mr. Clerk, and attache it to the Select File.

SPEAKER BAACK: It is withdrawn. Senator Labedz, did you wish to speak to the bill?

SENATOR LABEDZ: Thank you, Mr. Chairman. No, not as long as he is withdrawing the amendment, I was going to speak to the