

February 26, 1992 LB 1178

be the one that still would have some say-so as to whether or not that would actually happen when the time comes for the removal of the organ of your wishes. You still would have a family member there.

SENATOR CHAMBERS: Senator Hillman, lines 12 through 14, the language stricken as you point out will allow somebody under the age of 19 to say that he or she would agree to let organs be taken for this purpose. I have a concern about this because in studying the way the tobacco industry has targeted advertising campaigns to young people, I believe that a similar approach could be made by these groups that are seeking organs. On the one hand we might see the activity by the tobacco industry as being nefarious and I would agree with that. Because of the goal of this activity, it might be considered allowable to advertise and try to persuade younger people to do this, but regardless of the goal the fact is that young people can easily be swayed into doing things by being made to see this as a great thing to do, something that will make the person more noteworthy than he or she might be and it may not be done with a full understanding of the consequences of doing this. So why in the world would a young person not confront it with impending death be asked to fill out this kind of information on an application for a driver's license?

SENATOR HILLMAN: I guess I don't totally understand your question. Can they be swayed by information, can it look like something that they would think is really great and not know all the ramifications? That's probably true of anything when talking with young people. Many of them can be swayed and are swayed into doing things that aren't particularly good for them. The only thing I can say is that they still at the time, that that gift would be made at the time of this young person's death, you would still have the parent or someone who is responsible for the disposal and handling that body would still have the opportunity...

SPEAKER BAACK: One minute.

SENATOR HILLMAN: ...to say yes or no that it could be done.

SENATOR CHAMBERS: If the young person did not sign such a statement, could the parents upon the death of somebody 16-years-old agree under the law now to allow organs to be taken?