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FLOOR DEBATE

May 19, 2003

LB 59, 95

SPEAKER BROMM: Senator Byars, you're recognized to open on your amendment.

SENATOR BYARS: Thank you, Mr. Speaker. Members of the body, my amendment, AM1980, is in effect LB 59, which was presented to the Judiciary Committee, advanced by the Judiciary Committee 7-0, with Senator Chambers being absent on that day. In visiting with Senator Chambers since, as he had concerns with this bill last year, he is...seems to be comfortable with it. If there are any change, I'm certain that he'll be letting us know. This is the Cremation of Human Remains Act, and I think very appropriate to be a part of LB 95. Senator Maxwell has agreed to having us place this bill within his, and I think it has been brought to the point where, at least to the best of my knowledge, we have all of those parties involved who have felt comfortable with the legislation. The reason we brought LB 59 originally was that we have 13 operating crematories in Nebraska, only 2 of which are independent of a funeral home at this time. We're seeing a dramatic increase of those individuals who wish to have, after death, having cremation. We're estimating that approximately 38 percent of those individuals that pass will want to be cremated by the year 2010. Approximately 17 percent made that choice in 1999. A group came to me that consisted of funeral directors, crematory owners, and they had created the cremation task force. They put together the basics of the bill and, just coincidentally, as we were introducing this and put this together, we saw the horrible and tragic events that happened in Noble, Georgia, with Tri-State Crematory and not having regulations that dealt with the issue. We in this state have no regulations for crematories. Funeral directors are currently licensed in our state, they meet strict education requirements, but you don't have to be a licensed funeral director to run a crematorium. And so it was felt by those people in the industry that regulations needed to be in place. The bill sets out the application process, the fees, reasons for denial of licensure, putting regulation authority in the Department of Health and Human Services in the language of the bill; provides for inspection authority; processes for sanctioning licensees; the fines, suspensions, limits and revocations of that process; a complaint process; puts in standards for operations of the crematories; grandfathers those