

that you all will view it favorably also.

SENATOR LABEDZ: Thank you, Senator Chambers. Before we go to the next speaker, we would like to welcome to the Nebraska Unicameral the guests of Senator Chizek and Senator Lindsay. We have Mary Duffy and her three children, Briana, Rory, and Siobhon. Will you rise, please, and be recognized by the Legislature. Thank you. We are now speaking on the amendment to LB 340, Senator Baack.

SENATOR BAACK: Yes, Madam Chairman and members, I would just rise in support of the amendment of Bernard-Stevens. I think that he has done a very good job of explaining exactly how this system would work if there is a problem between the two parties. I think it is a system that of the ones that I have seen that are going to be proposed, I think it is the fairest one. I think it is one that we can all live with. I think there was some dispute early on that there might be some constitutional problems here but I think those have been resolved. I don't think there is any constitutional problems here with the Ombudsman being involved. That is his function to be involved between government and private persons, so I don't think there is any problem with that. I think that, and I think that Senator Bernard-Stevens did an awfully good job of explaining that there really...if there is a dispute, it's going to be of a very narrow sort because of the records that have been kept and I think that it will be easily, fairly easily determined in most cases as to who is the correct party in the case. And I think that if there is a grievance and you don't like the decision of the public counsel, then you can appeal that. You would, with the Administrative Procedures Act, you would go into the state district court. So I think that this is an amendment that improves the bill. It sets up an arbitration process because there are going to be some items that may have a dispute as to whether or not they ought to go back. I will be offering an amendment in just a little while to narrow that scope yet, even further than the bill is right now, as to what items would go back as far as burial goods go. But for right now, I would just urge the body to adopt Senator Bernard-Stevens amendment to 340. Thank you.

SENATOR LABEDZ: Senator Warner, would you like to speak on the amendment? Senator Warner, on the amendment.

SENATOR WARNER: Thank you, Mr. President, members of the