

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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February 3, 1999 LB 46

**PRESIDENT MAURSTAD:** Thank you, Mr. Clerk. Chair recognizes Senator Brashear to open on LB 46.

**SENATOR BRASHEAR:** Mr. President, members of the body, LB 46 requires the county coroner or the coroner's physician to perform autopsies on persons under the age of 19 who die a sudden death, if the death was not caused by readily recognizable disease, or the death occurred under suspicious circumstances. After establishing the cause of death with a reasonable degree of medical certainty, the cause shall be certified by the county attorney. The cost of the autopsy is done at the county's expense. The committee amendment will further refine the scope of the bill so that no autopsy need be performed if the death was caused by readily recognizable disease, or if the death occurred due to trauma resulting from an accident. You will note in the fiscal notes that this has no fiscal impact, adverse or otherwise, on those counties that follow this practice today. However, during the course of the interim, your Judiciary Committee did have hearings which persuaded us that this, in fact, ought to be the standard imposed by the law in all counties, because cost was seeming to be an inappropriate factor in whether or not counties were having autopsies on a statewide basis. The purpose is...the objective is clear. I think this is absolutely necessary. This is good law enforcement. The committee advanced the bill unanimously by all those present, and...no, pardon me, six voting in favor, one present and not voting. So I would urge the adoption...or the advancement of the bill and the adoption of the amendment when we get to it. Thank you.

**PRESIDENT MAURSTAD:** Thank you, Senator Brashear. Senator Brashear, you're recognized to open on the committee amendments. (See Standing Committee amendments, AM0091, on page 408 of the Legislative Journal.)

**SENATOR BRASHEAR:** Mr. President, members of the body, I have covered the committee amendment. The committee amendment further narrows the scope, eliminating the need for an autopsy in the instance of death caused by readily recognizable disease, or death due to trauma resulting from an accident. And that was a contribution made in the committee deliberation for which we appreciate the deliberation. And I would urge the...clearly the