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LB 262

SENATOR CUDABACK: Thank you, Mr. Clerk. Senator Stuhr, to open on LB 262.

SENATOR STUHR: Thank you, Mr. President and members of the body. LB 262 changes provisions relating to cemeteries in cities of the first and second classes and villages. It would allow a limited portion of the principal in certain perpetual funds to be used for the purchase and development of additional land for cemetery purposes. No more than 25 percent of the principal could be used in any fiscal year, and no more than 35 percent in any ten consecutive fiscal years. The current statutes vary in their provisions regarding perpetual funds. For example, under Section 16-242 for cities of the first class, the income from the sale of lots must be used for the care, ornamentation or maintenance of the lots or the cemetery in general. LB 262 would allow a limited portion of the perpetual fund principal to be used for enlargement of the cemetery. In addition, any money that comes to the fund by donation, bequest or otherwise that does not prohibit such use could also be used for additional cemetery land, and the same 25 to 35 percent restrictions would apply. This bill did advance to General File last year, but because of the time limits we were not able to address it. There were no opponents to the bill this year at the hearing, and it was passed unanimously by those present in the committee. It was brought on behalf of the League of Municipalities and also on the behalf of many cities and villages throughout the state. So I ask for your support in advancing LB 262 to Select File. Thank you.

SENATOR JENSEN PRESIDING

SENATOR JENSEN: Thank you, Senator Stuhr. Discussion on LB 262? Senator Chambers.

SENATOR CHAMBERS: Thank you, Mr. President. Members of the Legislature, I would like to ask Senator Stuhr a question. This is for my information, Senator Stuhr. The bill talks about acquiring land, which I can understand, to be developed for cemetery purposes. How do they develop the land? Does that mean removing trees or...I'll let you tell me if you know what that means.