

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

January 30, 2006 LB 85, 87A

ASSISTANT CLERK: 28 ayes, 0 nays on the motion to advance the bill, Mr. President.

SENATOR CUDABACK: LB 87A does advance. We now go to the next agenda item, LB 85. Please, Mr. Clerk.

ASSISTANT CLERK: Mr. President, LB 85, introduced by Senator Byars. (Read title.) The bill was read for the first time on January 6 of last year, referred to the Health and Human Services Committee. That committee reports the bill to General File with committee amendments attached. (AM0126, Legislative Journal page 379, First Session, 2005.)

SENATOR CUDABACK: Thank you, Mr. Clerk. Senator Byars, to open on LB 85.

SENATOR BYARS: Thank you, Mr. President. LB 85 is a bill which increases preburial arrangements, that increases the set-aside that a person can set aside, from \$3,000 to \$4,000 for a pre-need burial. The last set-aside was established in 1983. Senator Marge Higgins introduced and carried that legislation, and if we don't remember Senator Higgins, then it's probably time that we increased the set-aside. Today's cost for funeral services and all of those things necessary for us to be buried today average about \$7,700. What this does is allow people to have some dignity, and we give them the opportunity to set aside this amount of money, and at that point, they could be qualified for Medicaid and start receiving state services. But these dollars can't be touched and will be used for a burial. If this doesn't happen and the person uses up these funds and becomes qualified for Medicaid, which is going to happen, typically, anyway, you take away that dignity of being able to pay for their own burial service. Plus, something that I'm not sure, and we'll talk about the fiscal note because I think that's the main concern here, but you put them into a pauper situation, where you have expenses on the part of the county, where they're residing, to pay for the pauper's funeral. They have limits that are set aside on how much they can pay toward a funeral, or how much they do pay for funerals. But the major question that I have run into is that we really should be doing some sort of a