

**ONE HUNDRED FOURTH LEGISLATURE - FIRST SESSION - 2015**  
**COMMITTEE STATEMENT**  
**LB146**

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**Hearing Date:** Thursday January 29, 2015  
**Committee On:** Health and Human Services  
**Introducer:** Crawford  
**One Liner:** Provide for disposition of unclaimed cremated remains in a veteran cemetery

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**  
**Aye:** 6 Senators Baker, Campbell, Crawford, Howard, Kolterman, Riepe  
**Nay:**  
**Absent:** 1 Senator Cook  
**Present Not Voting:**

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**Verbal Testimony:**

**Proponents:**

Senator Sue Crawford  
Betty Albanez

Bill Henry  
Gregory Holloway  
Jon Reichmuth  
Dennie Phelps

**Representing:**

District 45  
Daughters of the American Revolution; Colonial Dames of 1700; Mayflower Society; Disabled American Veterans; Women's Army Corps; Dughters of the War of 1812; Daughters of Union Veterans Missing in American Project  
DAV; VVA, Amvets; NVC  
Nebraska Funeral Directors Association  
Good Shepherd Funeral Home

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

The Cremation of Human Remains Act is newly introduced legislation that was introduced by constituent Bill Henry, an advocate with the Nebraska chapter of the Missing in America project. This Act is being introduced in order to set a legal framework regarding funeral services for the cremated remains of veterans. One goal is to provide funeral homes with the necessary resources to carry out proper funeral services for these veterans.

Section-by-section description:

Section (1): Amends 71-1355, the Cremation of Human Remains Act, to add the sections of the bill.

Section (2): Amends 71-1356, adding to definition of "authorizing agent" the person listed as authorized to direct disposition in the persons DD Form 93. Adds definition of "veteran", "veteran cemetery", and "veterans service organization"

Section (3): Amends 71-1382, including funeral establishments as a location cremated remains may be delivered or

released to, and sets forth the process for handling cremated remains and conducting veteran funerals for unclaimed remains.

Section (4): Adds new language to set forth the process for determining whether unclaimed remains are eligible for burial under this section. Ensures information is not a public record.

Section (5): Amends 80-104, creating exception for remains disposed of according to this act.

Section (6): Repealer section

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**Explanation of amendments:**

AM142 to LB146 adds another non profit designation and reduces the threshold for liability from "gross negligence" and "willful misconduct" to "negligence" and "misconduct".

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Kathy Campbell, Chairperson