

**ONE HUNDRED THIRD LEGISLATURE - FIRST SESSION - 2013**  
**COMMITTEE STATEMENT**  
**LB441**

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**Hearing Date:** Wednesday February 27, 2013  
**Committee On:** Judiciary  
**Introducer:** Seiler  
**One Liner:** Change provisions relating to control of dead human remains

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

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**Vote Results:**  
**Aye:** 7 Senators Ashford, Christensen, Coash, Davis, Lathrop, McGill, Seiler  
**Nay:**  
**Absent:** 1 Senator Chambers  
**Present Not Voting:**

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**Proponents:**  
SEN. LES SEILER  
WILLIAM LAUBER  
GREGORY EASLY

**Representing:**  
INTRODUCER  
NE FUNERAL DIRECTOR ASSOCIATION  
NEBRASKA CEMETERY ASSOCIATION

**Opponents:**  
DON WESELY  
JOHN LIAKOS

**Representing:**  
NE ASSOCIATION OF TRIAL ATTORNIES  
NE ORGAN RECOVERY SYSTEM

**Neutral:**

**Representing:**

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

Legislative Bill 441 would amend current statute sections to provide authority for a person 18 years or older to direct the location, manner and conditions of disposition of his or her remains through a will, a pre-need sale or a standard notarized affidavit like the one described in this bill. The bill also provides how to dispose of remains in the absence of any direction from the deceased.

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**Explanation of amendments:**

Committee Amendment AM 975 would strike new language allowing for the cancellation or revision of pre-need sale contracts for burial by a person appointed by the decedent or if the resources set aside to carry out the contract are insufficient. The amendment would also strike civil and criminal immunity provisions.

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Brad Ashford, Chairperson