

and unfair practices will be illegal and to ensure that the state and private citizens who are affected, consumers who are affected, have a legal recourse to recover damages and punitive damages, if necessary, as well as to stop the practices. In addition to the protections provided with the amendments before you, last year this Legislature took a very wise step in passing LB 95. This bill also relates to the directors, funeral directors, and embalmers along with all the other health care professions and occupations which are under the jurisdiction of the Board of Examiners in the Department of Health. We put all of these boards under the deceptive trade practices act and violation of the deceptive trade practices act is grounds for revocation of license. So in addition to the remedies which I mentioned previously, we also have revocation of license for violation of this act which can result if a funeral director or an embalmer does something which is unwarranted. The consumer protection act is a four year statute of limitations. The deceptive trade practices act is a one year statute of limitations. The consumer protective act provides that any person or the Attorney General can bring the action. Under the deceptive trade practices act, the Attorney General can bring an action. Again there are punitive damages under the consumer protection act. I would like to briefly go into the purpose of the bill. As I mentioned earlier, it is to continue the Board of Examiners in embalming and funeral directing. In the current bill with the amendments that we adopted on General File last year we merged the two boards so that there is one board for embalmers and funeral directors rather than two. We merged their cash funds to solve some of the problems in the administration. I think that the bill in its current form is a very strong one. It is very, very consumer oriented. We have a greater ability to ensure that there is a right of action for violation of the act and for unfair practices, so I think that I would urge you to adopt these amendments and to advance the bill so that we have the regulation that is necessary in this area. Again, the Public Health Committee is involved in this area for two years. This bill has been on the floor of the Legislature for a full year now. It has had a lot of debate and a lot of discussion, a lot of staff time and a good deal of assistance from the Department of Health. I think we will have one of the strongest consumer oriented systems in the country if we adopt these amendments and move this bill. I would like to express my appreciation to Senator Chambers and Senator Johnson, Senator Hoagland and others who raised concerns