

January 15, 1986 LB 643

SENATOR CARSTEN: What happens to those who have already participated, have their deposit made and have the 100 percent guarantee at this point if this is adopted?

SENATOR L. JOHNSON: I'll defer to Senator Pappas.

PRESIDENT: Senator Pappas, do you wish to answer that question?

SENATOR PAPPAS: Excuse me. I think the question was what happens to the people that are already in the program or signed up for something?

SENATOR CARSTEN: That have the 100 percent guarantee.

SENATOR PAPPAS: It is my understanding that they are still grandfathered in. But the one key a lot of people forget, they talked 85 percent and the 15 percent, but the 85 is the maximum. They can...not maximum, minimum. They can still go 100 percent guarantee, all the way up.

SENATOR CARSTEN: But that has to be approved by either the funeral home or the cemetery.

SENATOR PAPPAS: If you've got a 100 percent guarantee, it does not change that at the present time. The law, the new bill will not change that either. So you are still okay.

SENATOR CARSTEN: Okay. Well, I guess my concern is this, and just recently, within the last week or 10 days there was an article in the paper about some cemeteries being in a financial crunch. They were in trouble. And I guess I get a little bit concerned that we are going to bail them out here some way with a provision of this bill, not that I have any problem with trying to help them if we can, but I want to be sure we know what we are doing while we are doing it is my only concern. Thank you.

SENATOR L. JOHNSON: I think the point to make, Senator Carsten, is that this is not a protection law for cemeterians. It is a definite protection law for the consumer...

SENATOR CARSTEN: Well, that was my understanding...