

SENATOR PAPPAS: Okay.

PRESIDENT: Senator Nelson. Senator Withem is next, after Senator Nelson.

SENATOR NELSON: Mr. Speaker, members of the body, I, too, had great reservations about this bill and I know Senator Withem did too. We spent a lot of time on this yesterday. I also had concerns about the 15 percent protecting the public, what protection, the same questions that Senator Hefner has right now. I could see that if we did not go ahead and maybe allow this 15 percent, you must understand the cemetery associations are going from no control to 85 percent and that is quite an accomplishment. I will have to say though, to Senator Johnson, I think the question was asked if this was equal to the cemeteries and to the funeral homes. Part of our problem in this whole thing is the funeral homes are now providing services that maybe the cemeteries did and they are crossing lines and they are not living by the same set of rules. But if you go to page 7, item number 3, the first 35 percent of the retail sales of the crypt, and then it is sold as a mausoleum and so on, all goes to the cemetery. But I'll guarantee you they are not going to take a mausoleum or something after they've built it on the cemetery and take off with it, which could be the case of a casket or a company going out of business, they are no longer there. This is a bill to protect the consumer. I know that there is a great deal of opposition throughout the state by some of the funeral directors that do want 100 percent instead of the 85 percent. My concern was for the public. But I can also say to you, and in answer to Senator Hefner, that 15 percent, we probably need to look at that as a sales commission. There will be no sales made. If we don't have this bill, I'm sure that pre-need sale will not be allowed in the State of Nebraska. I, too, was concerned about an article. I have it in front of me, a court case where this very thing that we are afraid of here in Nebraska happened in Iowa. That was my concern, but I believe that after spending a lot of time on this bill I want to support the bill. I have great reservations, but we either support it or we do not have a bill. Thanks a lot.

PRESIDENT: Senator Pappas, I'll recognize you for mechanical amendment offering.