

15 percent off the top is not necessary and is not advisable. I support Senator Withem's amendment.

PRESIDENT: Senator Morehead. The question has been called. Do I see five hands? There are other speakers. I do see five hands. The question is, shall the debate cease? All those in favor vote aye, opposed vote no. The question is, shall the debate cease on the Withem amendment? The motion is, shall the debate now close? Record the vote, Mr. Clerk.

CLERK: 27 ayes, 0 nays to cease debate, Mr. President.

PRESIDENT: The debate is closed and, Senator Withem, this is your opportunity now for five minutes.

SENATOR WITHEM: Yes, Mr. President, members of the body, I would like to say a few things in closing. First to clarify what I am doing, clarify what I am doing with this amendment. The current bill supported by the Cemetery Association and I will emphasize only the leadership of the Funeral Directors Association allows for 15 percent of the up front money to go immediately into the pocket of the individual that makes the sale, to not put it aside. That is what the bill says now. Current practice in the industry is funeral directors when they arrange pre-need will have 100 percent. Cemeteries have nothing. Keep that in mind, currently cemeteries have nothing. If my amendment gets adopted to LB 643, it will put funerals, keep them at the 100 percent, the status quo. Keep in mind that is where the fight is. When you have heard from people, those are the folks that are fighting, the big funeral directors that want the 15 percent so they can more aggressively market pre-need and the small directors who are used to dealing with the families in the communities who feel that the consumer needs to be protected and assured that the 100 percent is there when the time comes. The cemeteries, if this amendment gets adopted, will go from zero where they are today up to 85 percent. There are those, and I had an amendment up here that would have put everybody to 100 percent. Frankly that is probably too big a change in the status quo to be accepted and to get the bill passed. I think if we get this amendment adopted we can pass a bill. Senator Hoagland in his remarks talked about there is a compromise worked out, a compromise worked out, a compromise worked out. I am so tired of hearing in this body that the lobby has told us what should go into a bill, and because they have told us,