

engage in a positive consumer sales program relating to pre-need sales. Thank you, Mr. President.

PRESIDENT: Very well, Senator. Senator Pappas, do you want to use some more of your time on this? Senator Lynch, do you wish to speak on the amendments to the amendments?

SENATOR LYNCH: Yes. Mr. Chairman and members, Senator Johnson gave an overview of the purpose of this legislation as Vice-Chairman of Public Health and Welfare Committee and in that capacity having had to take the time to understand to some degree what we are discussing, and in particular as it applies to the amendment to the standing committee amendments. It is also important, in the way of background information as pointed out by Senator Johnson's statements, that the purpose for all of this was the result of, and I'm not sure who is to blame so I can't mention the name because I really don't know, on occasion, one in particular...

PRESIDENT: Just a minute, Senator. Just a minute, Senator. May we have order in the Chamber, please. (Gavel.) Too much conversation for the speaker to be heard. Go ahead, Senator Lynch.

SENATOR LYNCH: ...where the money paid by someone for a prepaid burial was, in fact, wasted as a result of bad management and, in fact, outright thievery. I think it is a terrible thing indeed. The purpose of this bill is to protect the consumer. The problem is that the issue has reduced itself down to peer groups arguing with each other about the 15 percent retainer and what the responsibility is of a cemetery operator, as compared to a funeral home, as compared to a cemetery operator and where those responsibilities begin and end, and whether or not someone should have the right to take 15 percent up front because they have some predetermined up front costs and overhead as compared to those that think all of the money, all 100 percent, should be kept in trust. This amendment to the amendment would give more flexibility apparently to those who hold that trust to invest it different from just putting it into a bank or a savings and loan. I have some concern with that, I have to admit. I think this money should be placed where it can do the most good. But, as you can understand from the committee amendments, the interest accrues to the person who was the seller of the trust, not the person who purchased it. So I have to tell those people