

commingled trust that it, in fact, is going to be protected?

SENATOR PAPPAS: Your trust provisions are kind of unique. The commingle and the single trust was put in there, basically,...

SENATOR WITHEM: I think I'm getting around to an answer that will deal with me. If you could have just said yes to that I would have been satisfied, but...

SENATOR PAPPAS: Okay, yes.

SENATOR WITHEM: Thank you. I think I kind of understand what we are doing here. If we are doing what I think we are doing, I have no problem. It looks like it might be an improvement for me on money of mine that is put into a commingled trust. If that is the case I am supportive of it. If it, in fact, makes commingling easier and less assurance that my personal money is going to be protected, I'm not supportive of it. I guess I need to seek a further answer. Thank you, Senator Pappas. That concludes my remarks at this time.

PRESIDENT: Senator Jackie Smith.

SENATOR SMITH: Thank you, Mr. President. Could I ask a question of Senator Pappas, please.

PRESIDENT: Yes, Senator Pappas is...

SENATOR SMITH: Senator Pappas, I need a little more clarification regarding the 85 to 100 percent negotiable amount that we've been talking about here that Senator Hefner arose (sic). I'm wondering if this is negotiable from individual to individual. When you were talking about this was negotiable, I mean it can be anywhere from between 85 to 100 percent. What do they do, negotiate from individual to individual?

SENATOR PAPPAS: No, they could. The thrust of it is 85 is the minimum, or 15 percent is the maximum that they can retain under the cost of doing business. It is up to the funeral home or the cemetery themselves to make those decisions. Now they can go as they presently have been and leave it at 100 percent, or they can go 10 percent. It is what their policies are.