

understand it is an irrevocable trust, is that correct?

SENATOR PAPPAS: Yes, they are irrevocable trusts. There are different trust options that they put them in. They have to do that for certain reasons, in case something happens along the line and you are required to go on welfare or something like this, that the welfare people can't say that that is money that we can take to help overpay your welfare. That is put in there so nobody can take it away.

SENATOR HIGGINS: Well, under social assistance they have a maximum now of \$3,000 for burial. But the question I was going to ask you is, if I should decide, if I should decide, after purchasing one of your pre-burial agreements, because of all my allergies, or all my children have moved to Colorado, my husband and I are going to move to Colorado. Now, when we move to Colorado do we get that pre-burial money back from the funeral director or mortician?

SENATOR PAPPAS: The irrevocable language, to enlighten you a little bit more on that, Senator Higgins, from my understanding was taken from your language from one of your bills in 1983. So it is your language.

SENATOR HIGGINS: Ah, thank you. Well, my language in the bill said, yes, they have to give them the money so that they can be buried wherever they want to be buried.

SENATOR PAPPAS: That is correct.

SENATOR HIGGINS: Okay. One of the things that I question about this, the 15 percent they want to put in their pocket right now, what guarantee do I have, 20 years from now, that they are going to have that 15 percent to give back to me, or any of it, for that matter?

SENATOR PAPPAS: The Department of Insurance regulates that.

SENATOR HIGGINS: Well, they regulate them, but where is the money coming from if that mortician decides to go to Las Vegas with my 10,000 and he loses?

SENATOR PAPPAS: It is not in his pocket, it is in a trust, see, that he cannot touch.

SENATOR HIGGINS: What about the 15 percent?