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Written Testimony of William R. "Randy" Molloy

Connecticut Funeral Directors Association

Judiciary Committee

Monday, April 1, 2013

Senate Bill 1140, An Act Concerning the Duties of a Conservator and Other Persons Authorized to Make Decisions Relating to the Care and Disposition of a Deceased Person's Body

Good day Senator Coleman, Representative Fox, Senator Kissel, Representative Rebimbas and the distinguished members of the Judiciary Committee, my name is Randy Molloy and I am a funeral director at the Molloy Funeral Home in West Hartford. I am here today representing the Connecticut Funeral Directors Association (CFDA), which represents over 220 funeral homes in the Connecticut. I serve as a member of CFDA's Legislative Committee, and as a Past-President of our Association. I am grateful for this opportunity to provide you testimony in support of Senate Bill 1140, An Act Concerning the Duties of a Conservator and Other Persons Authorized to Make Decisions Relating to the Care and Disposition of a Deceased Person's Body.

Senate Bill 1140 would permit a conservator, with the permission of the probate court, to make funeral disposition arrangements on behalf of their ward in advance of their death. This power is particularly important where the ward has little or no family and would help avoid the situation where the ward dies at a nursing home, and there are no direction as to who should be in charge of disposition or how disposition should take place. This legislation would similarly allow an agent with power of attorney to make funeral disposition arrangements in advance on behalf of their principal.

In addition, CFDA supports the provision in the legislation which would permit "majority rule" to make disposition arrangements when there are multiple people with equal disposition rights (for example, two out of three children could direct the disposition of a parent). Also, CFDA supports the section of the legislation, which disqualifies a person charged in the death of a decedent from having disposition rights for the decedent.

In conclusion, the Connecticut Funeral Directors Association believes this legislation closes gaps in the law regarding disposition especially regarding conserved persons who may have no surviving relatives or relatives who wish not to participate in the disposition of the person's remains. This legislation establishes a clear methodology in regards to disposition where families are spread out over the country or cannot be located, are criminally involved, or have no interest in being part of disposition.

I thank the committee for attention and allowing me this time to speak on this important legislation.

I would be happy to answer any questions.