

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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**Action:** Do Pass as Amended and Be Printed Engrossed

**Vote:** 4 - 0 - 1

**Yeas:** George L., Monnes Anderson, Starr, Metsger

**Nays:** 0

**Exc.:** Deckert

**Prepared By:** Janet Adkins, Administrator

**Meeting Dates:** 4/2, 4/11

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**WHAT THE MEASURE DOES:** Expands the number of small cemeteries eligible for waiver of renewal and other fees from the Oregon Mortuary and Cemetery Board. Expands eligibility for such waivers from cemeteries with five or fewer burials to those with ten or fewer burials. Specifies that initial registration fees for small cemeteries is to be no more than \$100 plus \$50 for registration of all cemetery board members. Disallows random inspections of these cemeteries.

**ISSUES DISCUSSED:**

- Background checks made through the Law Enforcement Data System, not Federal Bureau of Investigation
- Types of cemeteries and boards under consideration
- Relative workload associated with small cemeteries – sometimes less, sometimes more
- Historic cemeteries and other non-operating cemeteries currently exempt from regulation
- Fiscal reduction to the Mortuary and Cemetery Board

**EFFECT OF COMMITTEE AMENDMENT:** Applies exemptions to cemeteries with fewer burials than the original measure and modifies which fees and requirements are to be waived or limited. Deletes certain reporting requirements of small cemeteries in the original measure.

**BACKGROUND:** The Oregon Mortuary and Cemetery Board licenses practitioners, embalmers, pre-need salespeople, cemeteries, mortuaries, and crematoria. It also performs background checks, complaint investigations, and regular facility inspections. Enforcement actions include certificate sanctions, civil penalties, and negotiated agreements. Inspections of facilities and records are required by statute at least once each biennium. The board's six staff include compliance, investigative, and licensing specialists who are supported by revenues from licensing and examination fees and death certificate filings.

Fees are currently set by the board to cover its costs. Fee changes must be approved by the Department of Administrative Services and reported to the legislative Emergency Board. Biennial renewal fees for cemeteries are based on the number of burials and are currently \$4 per burial. There is a renewal fee exemption in current law that applies to cemeteries with five or fewer burials per year. Senate Bill 746-A would extend that exemption to cemeteries with ten or few burials a year. Current initial registration fees are \$150 per cemetery and \$50 for each principal (board member). The board has reduced this initial fee to \$100 for cemeteries with five or fewer burials per year. Senate Bill 746-A puts the current fee for small cemeteries into statute as a cap and also limits the fee for registration of principals to \$50 regardless of the number of principals.

4/16/2007 4:58:00 PM

***This summary has not been adopted or officially endorsed by action of the committee.***

Committee Services Form – 2007 Regular Session