

# Senate Testimony HB676 March 28 2023.pdf

Uploaded by: candy warden

Position: FAV

Candy Warden, President  
Rosa Bonheur Society  
Woodstock, MD 21163  
March 27, 2023

HB 0676 Testimony: FAVORABLE

Chair Melony Griffith and Members of the Senate Finance Committee,

My name is Candy Warden. I am President of the Rosa Bonheur Society, a volunteer, nonprofit group formed to protect Rosa Bonheur Memorial Park, a Maryland pet cemetery. HB 676 is needed. Rosa Bonheur Memorial Park is only one of the Maryland pet cemeteries that is imperiled by the lack of legislation and regulation.

There are at least three other historic Maryland pet cemeteries that are imperiled due to the lack of pet cemetery legislation and regulation: Rosa Bonheur Memorial Park founded in 1935 by Edmund Gross, Aspin Hill founded in 1920 by Richard and Bertha Birney, and Oakleigh Pet Cemetery founded in the 1930s by Alvin Seitz.

ELEMENTS:

Financial Investments – It costs approximately \$4,400.00 to bury one pet, which does not include perpetual care fees. These investments are vulnerable without regulation by the Cemetery Oversight Commission.

Ordinance(s) and Covenant(s) Compliance – People seek pet cemeteries and commit their resources to provide respectful, traditional resting places for their deceased loved pets in pet cemeteries. They need helpful regulations to protect the pet industry's commitment to honor representations made for final resting places for their cherished pets.

Religious, Social, and Ethical Values – Marylanders are a diverse group whose personal belief systems need to be acknowledged and supported by State and County Government. Our diversity is our strength, so it is with respect toward those who have buried their loved ones in pet cemeteries in accordance with their religious, social, and ethical beliefs that legislation for the regulation of pet cemeteries is long overdue.

DO YOU KNOW HOW MANY PEOPLE HAVE PETS?

Percentage of People with Pets - 90.5 million or 70% of American households (American Pet Products Assoc., 2022).

Members of Family – 95% of people worldwide consider their pets members of the family (Human Animal Bond Research Initiative Survey, 2022).

Christmas Gifts - 94% of American purchase holiday gifts for their pets (Online Pet Retailers Survey, People Magazine, Nov. 22, 2022).

### DO YOU KNOW ABOUT THE HUMAN – ANIMAL BOND?

87% of pet owners have experienced the mental health and/or physical health benefits of the human-animal bond.

98% of pet owners reported at least one specific benefit to their health from their pets including increased happiness, reduced loneliness, and decreased stress. (Human-Animal Bond Research Initiative Survey, 2022)

### PRESERVATION.

A connection to the past through one of the strongest universal, enduring, and timeless bonds that humans have is a shared love and appreciation of pets. Therefore, legislation and regulation of pet cemeteries is essential for the humanization and preservation of this relationship.

### WHAT IS THE COST OF NOT ENACTING HB676?

Fiscal Resources and Time Invested by:

1. Elected Government Officials, Government Departments (e.g., Departments of Planning and Zoning, Consumer Affairs and Protection Offices).
2. National, State, and County Organizations – Animal Organizations (e.g., SPCA Animal Advocates), Cemetery Organizations (e.g., Coalition to Protect Maryland Burial Sites, Rosa Bonheur Society, Save Oakleigh Pet Cemetery), etc.
3. People who contact many others reporting the lack of State support to prevent the exploitation of Citizens by unscrupulous pet cemetery operators that provide burial plots, services, and goods at their whim, misappropriate perpetual care funds, and/or later sell the cemetery property to other individual(s) for purposes other than operating a pet cemetery.

### WHAT IS THE BENEFIT OF PET CEMETERY REGULATION?

1. Pet Cemetery Legislation would increase trust in the legitimacy and permanency of pet cemeteries, increase growth of pet cemetery industry, and increase sales of vaults, memorial markers, caskets etc.
2. The economy would benefit by increased numbers of pet burials, the purchase of more grave goods, the creation of more jobs, and increases in taxes paid.
3. Also, those pet cemetery operators that decide to embrace the even more lucrative practice of including human burials in their cemeteries would be legislatively regulated. Currently such cemeteries are referred to as “pet cemeteries”,

which suggests bare minimum compliance to the laws regulating human burials and provide no regulation and protection whatsoever for the pets and/or the cemetery property in which they rest. Therefore, these pet cemeteries as all pet cemeteries are vulnerable to self interested individuals that would desecrate and destroy them.

CONCLUSION.

Pet cemetery legislation has the potential to bring peace and closure to many, many people and permit them to dedicate their energies toward more positive aspects of life that could only build a better Maryland. The burdens placed on State, Counties', and communities' resources would also be lessened, so that those limited resources could be directed toward other issues.

It is time for legislation to end this unconscionable situation, which so out of step with the image that Maryland is a modern, caring state that supports and values its citizens.

Thank you for your attention, and consideration of this testimony.

Sincerely,

Candy Warden, President  
Rosa Bonheur Society (founded May 2007)  
2010 Periwinkle Award Winner, Coalition to Protect Maryland Burial Sites

# **EXHIBIT.PetCemetery.pdf**

Uploaded by: William Wivell

Position: FWA

EXHIBIT G #3



EXHIBIT J #5



EXHIBIT X #2



EXHIBIT J #32



EXHIBIT G #34



EXHIBIT G #19



EXHIBIT J #49



EXHIBIT G #11

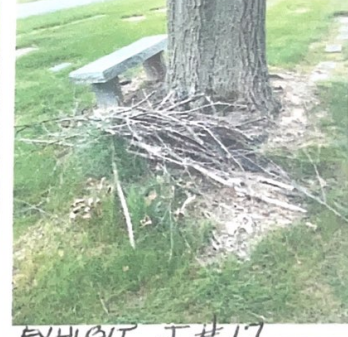


EXHIBIT J #17



EXHIBIT J #96



EXHIBIT J #40



EXHIBIT J #100

EXHIBIT L #6



EXHIBIT L #5



EXHIBIT M #43



EXHIBIT M #6



EXHIBIT M #3



EXHIBIT M #7

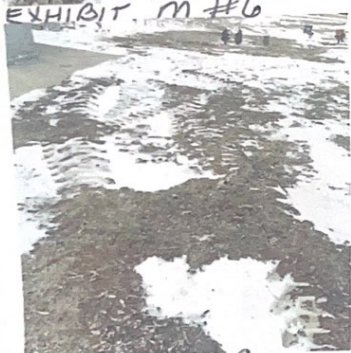


EXHIBIT M #9



EXHIBIT M #18



EXHIBIT M #17



EXHIBIT N #3



EXHIBIT N #11



EXHIBIT N #5

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EXHIBIT F #15



EXHIBIT J #41



EXHIBIT J #18



EXHIBIT X #21



EXHIBIT E #2



EXHIBIT E #4

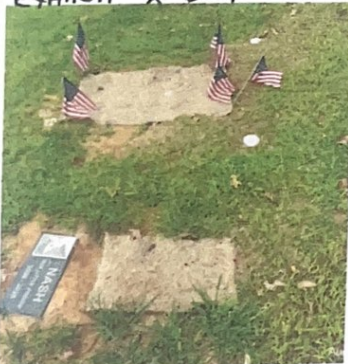


EXHIBIT E #7



EXHIBIT X #6



EXHIBIT J #66



EXHIBIT E #8

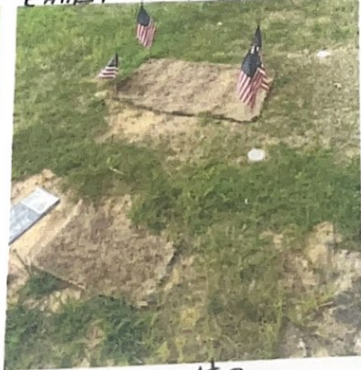


EXHIBIT E #3



EXHIBIT J #68





1



2



# **HB676-SponsorAmendment**

Uploaded by: William Wivell

Position: FWA



HB0676/373222/1

AMENDMENTS  
PREPARED  
BY THE  
DEPT. OF LEGISLATIVE  
SERVICES

28 MAR 23  
13:53:16

BY: Delegate Wivell  
(To be offered in the Finance Committee)

AMENDMENTS TO HOUSE BILL 676  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, strike “5–101(o) through (u)” and substitute “5–101(l) and (o) through (u), 5–704(a), and 5–708(d)(1)”.

AMENDMENT NO. 2

On page 2, after line 9, insert:

“(1) “Interment” means all final disposition of human remains OR PET REMAINS, including:

- (1) earth burial;
- (2) mausoleum entombment; and
- (3) niche or columbarium interment.”.

On page 3, after line 3, insert:

“5–704.

(a) A preneed burial contract shall contain:

- (1) the name of the buyer;
- (2) the name of the seller;

(3) the name of each individual, other than the buyer, as to whom the preneed goods or preneed services are to be furnished;

(4) **THE NAME OF THE PET, IF APPLICABLE;**

(5) a description of the preneed goods or preneed services; and

**[(5)] (6)** the amount of the buyer's financial obligation.

5-708.

(d) (1) If a preneed burial contract provides, for 2 or more individuals **OR PETS**, preneed goods or preneed services to which the trust requirements of this subtitle apply, a seller may designate in the seller's records the consideration paid for each individual **OR PET**."

**HB 676\_MD Labor\_Letter of Information.docx (1).pdf**

Uploaded by: Andrew Fulginiti

Position: INFO

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## House Bill 676

**Date:** 03/29/2023  
**Committee:** Finance  
**Bill Title:** Cemeteries - Pet Remains - Duty of Perpetual Care  
**Re:** **Letter of Information**

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The Maryland Department of Labor (MDL) houses the Office of Cemetery Oversight (OCO) whose primary objective is to register and monitor individuals and businesses engaged in the operation of cemeteries and burial goods businesses in Maryland. This includes individuals and companies that sell funerary monuments and memorials on a retail basis. OCO also regulates and provides registration for crematories under its jurisdiction in the State.

Responsibilities of OCO include the investigation and mediation of consumer complaints involving registrants and permit holders. To protect Maryland citizens from unfair and unscrupulous practices, OCO determines and enforces the ethical standards related to the operation of cemeteries and those related to the provision of burial goods and services within the State. OCO also regulates and monitors the funds held in perpetual care and preneed trusts by its licensees.

Currently, OCO only has statutory authority over licensees who handle the interment of human remains. HB 676 would direct OCO to issue regulations for those licensees who offer certain services for pet remains to owe a duty of perpetual care for the cemetery in which the remains are interred.

Upon further review of OCO's authority, Counsel has suggested that the bill sponsor amend the definition on "interment" in Business Regulations Article 5-101 to include "pet" in addition to human remains. By altering this definition it would allow OCO to better enforce the perpetual care requirement this bill seeks to achieve for licensees who offer services for the interment of pet remains. Without this suggested amendment, OCO does not believe it has the necessary authority to compel compliance with the regulations required by the proposed legislation

With the suggested amendment, OCO believes it can handle the enforcement of the proposal within existing resources.

We respectfully ask the committee to consider this information when reviewing HB 676 as we believe the bill is well intentioned and would represent a layer of consumer protection and certainty for those utilizing these services that does not presently exist in Maryland.