

BY: Senator Della

AMENDMENTS TO HOUSE BILL NO. 304, AS AMENDED  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Finance Committee Amendments (HB0304/297031/1), in line 1 of Amendment No. 1, before “State” insert “Cemeteries - Establishment of a Task Force and the”; in line 13 of the same amendment, after “Act;” insert: “establishing a Task Force to Examine the State’s Cemetery and Funeral Industry; specifying the purposes and responsibilities of the Task Force; requiring the Task Force to report to certain persons by a certain date; providing for the composition of the Task Force; providing for the effective dates of this Act; providing for the termination of the Task Force;”; and in line 14, after “State” insert “and establishment of a Task Force to examine the State’s cemetery and funeral industry”.

AMENDMENT NO. 2

On page 26 of the Finance Committee Amendments, in the last line of Amendment No. 2, strike “April” and substitute “July”.

AMENDMENT NO. 3

On page 26 of the Finance Committee Amendments, after the last line of Amendment No. 2, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) There is a Task Force to Examine the State’s Cemetery and Funeral Industry.

(b) The Task Force consists of the following 25 members:

(1) 3 delegates appointed by the Speaker of the House of Delegates;

(2) 3 senators appointed by the President of the Senate;

(Over)

(3) the Secretary of State or Secretary of State's designee; and

(4) 18 members appointed by the Governor as follows:

(i) 1 representative of the Department of Health and Mental Hygiene;

(ii) 1 representative of the Department of Human Resources;

(iii) 1 licensed physician;

(iv) 1 representative of the Office on Aging;

(v) 3 licensed morticians, one of whom shall be a small proprietor;

(vi) 3 representatives of the for-profit cemetery industry, one of whom shall be a resident cemetery owner;

(vii) 1 representative from a nonprofit cemetery;

(viii) 1 representative of the hospice industry;

(ix) 1 representative of the Attorney General's Office;

(x) 1 representative from the Department of Labor, Licensing, and Regulation;

and

(xi) 4 members at large.

(c) The Governor shall designate the Chairperson of the Task Force.

(d) Staff support for the Task Force shall be provided by the Department of Legislative Reference.

(e) The purposes and responsibilities of the Task Force are to:

(1) identify small businesses in the funeral and burial industries;

(2) assess:

(i) the regulation of the funeral industry in this State and other states;

(ii) the costs to consumers of funeral merchandise, including caskets, cremations, and burial plots;

(iii) the costs to the State and local governments for the burial of indigent individuals;

(iv) interest rates and financing charges in the burial industries;

(v) the issues facing small businesses in the funeral and burial industries;

(vi) the religious needs of various consumers as they relate to burial practices;  
and

(vii) the reinterment of remains that are discovered in the development of property;

(3) develop recommendations for methods to:

(i) reduce costs to consumers of the funeral industry;

(ii) increase consumer involvement and awareness with the funeral industry;

(iii) encourage consumers to make decisions concerning burial before the need arises;

(iv) disseminate information to consumers about the available goods, services, and prices;

(v) educate the funeral and burial industries about the religious needs of

(Over)

consumers as they relate to burial practices; and

(vi) properly reinter the remains of individuals discovered in the development of property; and

(4) propose legislative, regulatory, and other changes required to implement the recommendations.

(f) On or before January 1, 1997, the Task Force shall submit its final report to the Governor and the General Assembly.

(g) The Task Force shall terminate on January 1, 1997.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect June 1, 1996.”.

On page 26 of the Committee Amendments, in the first line of Amendment No. 3, strike “4.” and substitute “6.”.

On page 3 of the bill, in line 19, after “That” insert “, subject to Section 5 of this Act,”.