

REVENUE: Revenue statement issued

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass and Be Placed on the Consent Calendar
Vote:	8 - 0 - 0
Yeas:	Berger, Edwards C., Garrard, Gelser, Jenson, Nolan, Read, Roblan
Nays:	0
Exc.:	0
Prepared By:	Jerry Watson, Administrator
Meeting Dates:	2/2, 3/2

WHAT THE MEASURE DOES: Prohibits Secretary of state from charging fee to file annual report of nonprofit corporation where articles of incorporation purpose is to maintain historic cemetery and that cemetery is listed with Oregon Commission on Historic Cemeteries.

ISSUES DISCUSSED:

- Impact on preservation of history
- Revenue impact
- Impact of exception on “opening door” for additional exceptions

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Under Oregon Law, a historic cemetery must have at least one burial of a person who died before February 14, 1909 (within 50 years of statehood) and be listed with the Oregon Commission on Historic Cemeteries. The Oregon Commission on Historic Cemeteries is part of the Oregon Parks and Recreation Department. The Commission’s website contains a 31-page list of historic cemeteries throughout Oregon. According to proponents, most historic pioneer cemeteries are private, accept only limited burials (if any), rely mostly on small donations for maintenance, and some are organized as nonprofit corporations.

The State of Oregon requires nonprofit corporations to pay a \$50 annual report fee. Proponents assert that the \$50 annual fee creates a hardship for many small historic cemeteries. The Secretary of State’s office presently waives fees on a case-by-case basis and proposes to eliminate this requirement for certain historic cemeteries. The proposal would provide historic cemeteries an exemption from the \$50 annual report fee under ORS 56.140 where the articles of incorporation provide that the corporation’s purpose is to maintain an historic cemetery and that cemetery is listed with the Oregon Commission on Historic Cemeteries.

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