

Senate Bill 1502

Sponsored by Senator MONROE (at the request of Oregon Funeral Directors Association) (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Modifies membership of State Mortuary and Cemetery Board.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to appointment of members to the State Mortuary and Cemetery Board; creating new pro-
3 visions; amending ORS 692.300; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 692.300 is amended to read:

6 692.300. (1) There is created the State Mortuary and Cemetery Board to carry out the purposes
7 and enforce the provisions of this chapter. The board consists of *[11]* **eight** members appointed by
8 the Governor and subject to confirmation by the Senate in the manner provided in ORS 171.562 and
9 171.565. All members of the board must be residents of this state. Of the members of the board:

10 (a) *[Two]* **Five** members must be *[licensed funeral service practitioners. One of the members under*
11 *this paragraph must be a funeral service practitioner who does not offer embalming]* **individuals li-**
12 **censed by the board or representatives of facilities licensed by the board.**

13 *[(b) One member must be a licensed embalmer.]*

14 *[(c) Three members must be representatives of cemeteries, one representing for-profit cemeteries, one*
15 *representing a city or county owned or operated cemetery and one representing a special district owned*
16 *or operated cemetery.]*

17 *[(d) One member must be a representative of a crematorium.]*

18 *[(e) (b) [Four] Three* members must be representatives of the public **who are not licensed by**
19 **the board**, one of whom must be a member of a recognized senior citizen organization.

20 (2)(a) Board members required to be licensed *[funeral service practitioners or licensed*
21 *embalmers]* **by the board or representatives of facilities licensed by the board** may be selected
22 by the Governor from a list of three to five nominees for each vacancy, submitted by[:]

23 *[(A)]* **individuals or facilities licensed by the board or** any professional organization repre-
24 senting **individuals or facilities licensed by the board.** *[funeral service practitioners, if the vacancy*
25 *on the board is for a funeral service practitioner position; or]*

26 *[(B) Any professional organization representing embalmers, if the vacancy on the board is for an*
27 *embalmer position.]*

28 (b) In selecting the members of the board, the Governor shall strive to balance the represen-
29 tation on the board according to:

30 (A) Geographic areas of this state; *[and]*

31 (B) Ethnic group[.]; **and**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 **(C) Type of license issued by the board.**

2 (3)(a) The term of office of the members of the board shall be three years ending on December
3 31, but a member serves at the pleasure of the Governor. The terms must be staggered so that no
4 more than four terms end each year. A member is eligible for no more than two consecutive terms.
5 If there is a vacancy for any cause, the Governor shall make an appointment to become immediately
6 effective for the unexpired term.

7 (b) A board member shall be removed immediately from the board if, during the member's term,
8 the member:

9 (A) Is not a resident of this state;

10 (B) Has been absent from three consecutive board meetings, unless at least one absence is ex-
11 cused; **or**

12 (C) Is not [*a licensed funeral service practitioner or a retired funeral service practitioner*] **an in-**
13 **dividual licensed by the board or a retired individual** whose license was in good standing at the
14 time of retirement, if the board member was appointed to serve on the board as **an individual li-**
15 **censed by the board.**[*a funeral service practitioner; or*]

16 [D] *Is not a licensed embalmer or a retired embalmer whose license was in good standing at the*
17 *time of retirement, if the board member was appointed to serve on the board as an embalmer.]*

18 **SECTION 2. (1) The amendments to ORS 692.300 by section 1 of this 2012 Act apply to**
19 **appointments to the State Mortuary and Cemetery Board made on or after the effective date**
20 **of this 2012 Act.**

21 **(2) A member serving on the board on the effective date of this 2012 Act continues to**
22 **serve until the term of office for which the member was appointed terminates by expiration**
23 **of time, resignation from the board by the member or removal of the member from office.**

24 **SECTION 3. This 2012 Act being necessary for the immediate preservation of the public**
25 **peace, health and safety, an emergency is declared to exist, and this 2012 Act takes effect**
26 **on its passage.**