

House Bill 3242

Chair Holvey, Vice -Chair's Barton and Kennemer and members of the committee:

I have been a cemetery operator for over 30 years. I was involved with and worked for the 2<sup>nd</sup> largest company in the world that owned and operated funeral homes and cemeteries that declared bankruptcy in the US back in 2000. I now work for the largest company in that industry. I have been a part of the trust reconciliation of Valley of the Temples in Hawaii that was in receivership for years with similar circumstance to which this bill was conceived of. I am familiar with the two cemeteries where legal authority to operate and ceased which occurred in Oregon as well as others around the country.

We, as members of the Cemetery Association of Oregon know this is an issue and want to work with a task force to put more than just a band aid on these circumstances as they come up. Until the two more recent cases came about there was never urgency in Oregon to do anything. Will it happen again and do we really need new legislation I cannot answer that, but we as an industry, members of the State Mortuary board, the Oregon Funeral Directors Association and the Cemetery Association of Oregon feel it's time to get into Statute, not Administrative rule, a concrete law that directs some agency to take control of the situation if and when it happens again.

With that said, I believe the proposed amendments, which create a task force with competent, experienced people, from the cemetery part of the industry and others with knowledge of the complex issue of running a cemetery, which are proposed from Michelle Gaines from the OCMB today or in near future will be a workable solution.

We are OK with a temporary permit being issued as that is a band-aid but there is much more that needs done and we believe a task force can accomplish that. The verbiage in current bill that allows control Section 1 (1) by the OCMB is really not feasible. Controlling the item even as minimal as listed is far from their day to day activity as a licensing agent.

We also believe that the local court system should be involved when these situations arise as there is much more involved than simply allowing interments to happen on a temporary basis. There are land use issues, property ownership issues, pre need trust fund arrangement issues, endowment care funds and the all too important consumer protection funds that fall under the purview of the Division of Finance and Corp Securities, another regulatory agency that oversees our industry. Security issues, media issues and simply the ability for the community that is affected knowing that a local jurisdiction is aware of circumstances would be more comforting to the community and the families effected as a whole.

We are also firm believers that these proposals should be set in Statute and not by administrative rule as proposed bill states, by whatever agency or jurisdiction it may fall under in the future.

Sincerely

Ty Cochrane

Cemetery Association of Oregon

