

HB 2317-1
(LC 637)
2/7/17 (SCT/ps)

Requested by HOUSE COMMITTEE ON BUSINESS AND LABOR

**PROPOSED AMENDMENTS TO
HOUSE BILL 2317**

1 On page 1 of the printed bill, delete lines 5 through 30 and delete page
2 2 and insert:

3 **“SECTION 1.** ORS 692.300 is amended to read:

4 “692.300. (1) There is created the State Mortuary and Cemetery Board to
5 carry out the purposes and enforce the provisions of this chapter. The board
6 consists of 11 members appointed by the Governor and subject to confirma-
7 tion by the Senate in the manner provided in ORS 171.562 and 171.565. All
8 members of the board must be residents of this state. Of the members of the
9 board:

10 “(a) *[Two members]* **One member** must be *[licensed funeral service prac-*
11 *titioners. One of the members under this paragraph must be a funeral service*
12 *practitioner who does not offer embalming.]* **a funeral service practitioner.**

13 **“(b) One member must be a representative of an immediate dispo-**
14 **sition company.**

15 **“(c) One member must be a representative of a licensed funeral**
16 **establishment.**

17 “[*b*] *One member must be a licensed embalmer.]*

18 “[*c*] **(d)** Three members must be representatives of cemeteries, one re-
19 presenting **a for-profit** *[cemeteries]* **cemetery, one representing a nonprofit**
20 **cemetery and** one representing a *[city or county owned or operated cemetery*
21 *and one representing a special district owned or operated cemetery.]* **cemetery**

1 **owned or operated by a city, county or special district.**

2 “[*d*] (e) One member must be a representative of a crematorium[.] **or**
3 **other facility for final disposition of human remains under ORS 692.275**
4 **that is not a cemetery.**

5 “[*e*] (f) Four members must be representatives of the public, one of
6 whom must be a member of a recognized senior citizen organization.

7 “[*(2)(a)* Board members required to be licensed funeral service practitioners
8 or licensed embalmers may be selected by the Governor from a list of three to
9 five nominees for each vacancy, submitted by:]

10 “[*(A)* Any professional organization representing funeral service practi-
11 tioners, if the vacancy on the board is for a funeral service practitioner posi-
12 tion; or]

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

15 **“(2)(a) For each vacancy on the board under subsection (1)(a) to (e)**
16 **of this section, the Governor may select a board member from a list**
17 **of three to five nominees submitted by professional organizations that**
18 **represent individuals licensed, certified or registered by the board or**
19 **facilities regulated by the board.**

20 “(b) In selecting the members of the board, the Governor shall strive to
21 balance the representation on the board according to:

22 “(A) Geographic areas of this state; and

23 “(B) [*Ethnic group*] **Ethnicity.**

24 “(3)(a) The term of office of the members of the board shall be [*three*] **four**
25 years [*ending on December 31*], but a member serves at the pleasure of the
26 Governor. The terms must be staggered so that no more than four terms end
27 each year. **Except as provided in paragraph (c) of this subsection,** a
28 member is eligible for no more than two consecutive terms. If there is a va-
29 cancy for any cause, the Governor shall make an appointment to become
30 immediately effective [*for the unexpired term*] **to fill the vacancy. The**

1 **four-year term of a board member appointed to a vacant position be-**
2 **gins on the date of appointment.**

3 “(b) A board member shall be removed immediately from the board if,
4 during the member’s term, the member:

5 “(A) Is not a resident of this state;

6 “(B) Has been absent from three consecutive board meetings, unless at
7 least one absence is excused;

8 “(C) Is not a licensed funeral service practitioner or a retired funeral
9 service practitioner whose license was in good standing at the time of re-
10 tirement, if the board member was appointed to serve on the board as a fu-
11 neral service practitioner; or

12 “(D) Is not [*a licensed embalmer or a retired embalmer whose license was*
13 *in good standing at the time of retirement, if the board member was appointed*
14 *to serve on the board as an embalmer] **an authorized representative of a**
15 **cemetery, crematorium, funeral establishment or immediate disposi-**
16 **tion company, or other facility that is regulated by and in good**
17 **standing with the board if the board member was appointed to serve**
18 **on the board as a representative of the facility.***

19 “(c) A member who is a representative of the public may serve more
20 than two consecutive terms if no other member of the public applies
21 to fill an open position.

22 **“SECTION 2. The amendments to ORS 692.300 by section 1 of this**
23 **2017 Act apply to individuals serving as members of the State**
24 **Mortuary and Cemetery Board on the effective date of this 2017 Act.**

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