

HB 2123 STAFF MEASURE SUMMARY

House Committee On Business and Labor

Prepared By: Jan Nordlund, LPRO Analyst

Meeting Dates: 1/27, 3/8

WHAT THE MEASURE DOES:

Creates a rolling definition of "historic" cemetery as burial place containing remains of one or more persons who died more than 75 years before current date. Declares emergency, effective on passage.

No revenue impact

May have a fiscal impact, but no statement has yet been issued

ISSUES DISCUSSED:

- Many cemeteries fall slightly short of meeting the February 19, 1909 threshold
- Concern that cemeteries not meeting current definition will not be maintained and preserved
- Distinction from other designations such as National Registry of Historic Places or local landmark designations
- Period of 75 years aligns with statutes regarding archaeological objects and sites

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

There are designated historic cemeteries in all 36 Oregon counties. Under current law, a historic cemetery is one that contains the remains of a person who died before February 14, 1909. This date was set in 1999, when the Legislative Assembly moved it back from the prior date of January 1, 1940. The Commission on Historic Cemeteries, among other duties, is responsible for assisting in the coordination of the restoration, renovation, and maintenance of historic cemeteries and for recommending to the State Parks and Recreation Department projects and funding to maintain and improve these cemeteries. The historic cemeteries program provides resource, including grants, to people and organizations that care for historic cemeteries.

There are 1,622 designated historic cemeteries in Oregon. Though a complete count of cemeteries does not exist, the Parks and Recreation Department has 1,866 known cemeteries in a database it maintains. Historic cemeteries represent 86 percent of known cemeteries.

House Bill 2123 allows the definition of "historic cemetery" to change with each passing year by defining it as a burial place containing remains of a person who died at least 75 years before the current date. The Department anticipates that the change in definition will result in approximately 100-200 additional cemeteries with the historic designation, allowing them to access a competitive grant program to help with cost of maintenance and preservation.