

Office of Cemetery Oversight
Advisory Council On Cemetery Operations
Meeting Minutes
Thursday February 28, 2024
11:00 AM

Virtual Sign-on Information:

Sign on information: Join with Google Meet- <https://meet.google.com/ean-zoxr-zgt>

-Up to 250 participants

Meeting ID: <https://meet.google.com/ean-zoxr-zgt>

Phone Number/ (US)+1 415-737-9563

To call in: **Dial** PIN:991 991 730#

HOUSEKEEPING

COMAR 09.01.11.03, <http://www.dsd.state.md.us/comar/comarhtml/09/09.01.11.03.htm>

.03 Public Attendance.

A. The public is invited to attend and observe any open session of the unit within the Department.

B. Except in instances when the unit expressly invites public testimony, questions, comments, or other forms of public participation, or when public participation is otherwise authorized by law, a member of the public attending an open session may not actively participate in the session.

1. Roll Call/Quorum Announced

Staff Present:

Deborah Rappazzo – Executive Director

Matthew Venuti – Assistant Attorney General

Dreama Anderson- Investigator

Council Members Present:

Frank Porter

John (Ron) Pearcey

Yvonne Fisher

Walter Tegeler

Craig Huff

Chris Palmer

David Zinner
Eric March
Bruce Hultquist
Michael Bennett

Staff Absent:

Leila Whitley – Administrative Aide/Licensing Specialist
Lucas Manes – Financial Compliance Administrator

Council Members Absent:

Rebecca Bailey

Guests:

Sarah McDermott-Department of Labor, Assistant Commissioner
Matthew McKinney-Department of Labor, Director of Strategic Initiatives

2. Meeting Called to Order by Chairperson Frank Porter, Advisory Council, Chair
11:05 am
3. Approval of Today's Agenda
Motion by Advisory Council Member Palmer, Second by Advisory Council Member Huff,
Agenda Accepted
4. Approval of January 25, 2024–Minutes
Motion by Advisory Council Member Palmer, Second by Advisory Council Member Huff,
Minutes Approved
5. Executive Director's Report
 1. Introduction:
Executive Director Rappazzo thanked all the Advisory Council Members for rearranging their schedules to attend.

Executive Director Rappazzo also welcomed other members of the Department of Labor's leadership team to our Advisory Council meeting. They are as follows:
 - Sarah McDermott-Department of Labor, Assistant Commissioner
 - Matthew McKinney-Department of Labor, Director of Strategic Initiatives
 2. As promised during the last Council meeting in January 2024, Council Members will provide a short bio. Council Members Fisher and Pearcey provided theirs.

Council Member, Yvonne Fisher:

www.labor.maryland.gov

Council Member Fisher stated that her first love is science. She spent 10 years at Johns Hopkins working in Micro-biology. She would have continued with this quest unfortunately the research community was not amenable to African Americans and independent funding was nonexistent. Therefore, a career change led her to Applied Behavioral Sciences and a career in Human Resources. Council Member Fisher joined the Office of Cemetery Oversight as a Consumer Member approximately 9 years ago. She stated it has been a great experience and has appreciated all the knowledge that she has gained surrounding the deathcare industry.

Council Member, Pearcey:

Council Member Pearcey has been in the Cemetery business for 58 years. He has assisted families to obtain closure with issues that they have experienced in the deathcare industry. Council Member Pearcey has mastered the skills needed to operate a cemetery and shares this knowledge with others. His understanding of how you should talk to people, especially those who have lost a child, is very humbling. There is much more involved with being a cemetarian than just digging graves. He has met thousands of wonderful people over the years and has enjoyed learning about their journey and aiding with all their deathcare needs.

Next month Council Member Zinner and Council Member Huff will present their bio.

3. Executive Director Rappazzo posed a question to the Council: What is the Council's opinion on Selective Section or Repurposing of cemetery lots? Please note that other states have allowed these types of sections to be created in Green Cemeteries. Currently, Maryland doesn't allow this type of burial practice. Thoughts?

Council Member March stated that 50 years does not mean that the remains are fully decomposed. That process depends on the soil. Dry soil may not cause the decomposition that moist soil does. This process might wind up disturbing the first burial. Council Member March does not think a plot should ever be resold.

Council Member Pearcey stated that his green burial area is going very well, but he will not resell any burial plot for repurposing.

Council Member Huff stated if they were to set /create a 50-year plan and after 50 years we find bones. How would we handle the bones? Do we cremate them? Where do we move them? What would be the process in informing living family members? How would we write this in the original contract to insure transparency?

Council Member Hultquist stated that it must be addressed at the time when a consumer is entering into a contract, or you will be sitting in court. It will have to be a consistent process that everyone would have to follow.

Chair Porter stated that his grandparents were buried in 1942. The burial plot is located in a cemetery with their graves located by an oak tree. Their family goes there often to visit and pay their respect to their loved ones. This has been something that has occurred since they were buried. The family might be upset and uncomfortable if the oak tree was removed, let alone their grave was reused and someone else was buried there.

Council Member Palmer stated that he thought it would be better for the environment, saving space.

Council Member March stated that legislation has been proposed in the past to resell graves after 50 years and it was never successful. But this is a little different than reselling an un-used grave verses repurposing a grave after 50 years.

6. Old Business*

7. New Business-None

8. Investigator's Report*

9. Financial Compliance Administrator's Report*

10. Licensing Specialist's Report *

11. Legislative Update

Assistant Attorney General Venuti provided an update on two Bills sponsored by the OCO, other related deathcare Bills, as well as Regulation Changes:

- HB0828 (SB0647)-Abandoned Cemetery Fund - Establishment and Income Tax Checkoff: Both the House and Senate bills were heard and received favorably by both committees.
- SB0224-Cemeteries – Burial – Transit Permits – Required Information: This bill was heard in the Senate and crossed over to the House. The hearing was held on 03/19 with

a favorable response. It is believed that this will pass and go to the Governor for signature.

- HB0593-Criminal Law-Destroying Funerary Objects-Statute of Limitations: It had a favorable response from the House and has crossed over to the Senate with a hearing date of 03/27 at 1:00pm.
- SB0105-Burial Sites of Enslaved Persons-Protection and Access (Emancipation for the Maryland Deceased Enslaved Act) Senate Hearing was held but has not had any further activity.
- HB0152-Department of the Environment -Study on Deathcare and Funeral Practices: It was received favorably by the House and has crossed over to the Senate with a hearing pending on 03/20 at 1:00 PM. No further activity.
- HB1168 (SB1028)-Alkaline Hydrolysis and Natural Organic Reduction (Green Death Care Options Act): It was received favorably by the House and crossed over to the Senate. No further activity.
- SB0836(HB0870)-Washington County-Abandoned Cemetery -Acquisition and Disposition: Withdrawn by Sponsor.
- Regulation Changes-(3): Have been posted in the Daily Register on 1/12/24 for comments (Pet Cemeteries Regulations, Failure to Respond to the Office-penalty for not responding within 30 days) and Contract Fee Increase-last fee increase was over 11 years ago. A courtesy vote was extended to Council Members pertaining to submitted 2024 Regulations.

The Council Members voted favorably for both the Failure to Respond Regulation as well as the Pet Cemetery Regulations. Moved by Council Member Palmer and Seconded by Council Member Zinner-both passed.

Council Members would like to see additional budget information on the Contract Fee Increase Regulation. Courtesy vote deferred until the next Council Meeting.

12. Public Comment: None

13. Adjournment The meeting was adjourned at 12:45 PM. Council Member Palmer moved, no objections. Next meeting is March 28, 2024.

*The starred items may be deferred.

***A portion of this meeting may be closed pursuant to the General Provisions Article
Annotated Code of Maryland, §3-305(b)