



Funeral Consumers Alliance of Maryland and Environs

Protecting a consumer's right to a meaningful, dignified, and affordable funeral.

HB 491 as Amended - Favor

Testimony for the Senate Finance Committee

April 7, 2015

Submitted by Brian E. Ditzler, FCAME Vice President

Chairman Middleton and Members of the Committee:

Thank you for the opportunity to provide testimony from the Funeral Consumers Alliance of Maryland and Environs (FCAME) in support of House Bill 491 as amended. The bill would reduce the minimum amount that needs to be deposited in a conservation cemetery's perpetual care trust fund and limit who can designate a conservation cemetery.

We strongly support the creation of more cemeteries in our state that handle green burials (such as conservation cemeteries) to give consumers more options to choose from when deciding how they want their remains handled after their death. Conservation cemeteries also have particular appeal to those among us who want to lessen the negative impact on the environment of a traditional funeral and burial, and like the idea of preserving land in its natural state in perpetuity.

Green burial cemeteries have essentially the same characteristics as are used to define a conservation cemetery in HB 491 including that: bodies are not embalmed (avoiding use of toxic chemicals), burial containers are biodegradable (lessening impact on the land as well as energy usage and carbon emissions from the manufacturing process), grave liners or vaults are not used (avoiding energy usage and carbon emissions from manufacturing and transporting them), any markers are natural stone that usually is sourced locally and not raised above the ground, and preservation of the existing habitat is paramount.

We were part of the work group that met to resolve differences concerning various provisions of HB 491 as originally proposed as well as proposed amendments, and are quite pleased with what was agreed to. The bill approved by the House of Delegates establishes reasonable requirements for conservation cemeteries in our state, and provides the State's Office of Cemetery Oversight (and no other government or private entity) with the power to designate a conservation cemetery in Maryland.

One example of how HB 491 as amended is consistent with accepted practice for conservation cemeteries in our country is that the bill would require at least 5% of all burial plot sales to be set aside in the cemetery's perpetual care trust fund. That is exactly the amount the Green Burial Council requires be set aside in "an endowment fund to ensure long term maintenance of the land" in order for a conservation burial ground to receive certification from the Council.

In summary, passage of HB 491 as amended would establish reasonable requirements for conservation cemeteries in our State, and hopefully would encourage more such cemeteries to be established. This would provide consumers more options to choose from when deciding on the after-death care they want, and it would be good for the environment in many ways too.

The Funeral Consumers Alliance of Maryland & Environs asks this committee to issue a favorable report on HB 491 as amended.

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FCAME is the volunteer-run, regional chapter of the Funeral Consumers Alliance (FCA), the oldest and largest consumer protection organization focused solely on guarding the rights (and wallets) of grieving consumers. FCA's many chapters across the country are dedicated to: helping consumers be more informed about death care options, and protecting the public from fraud and abuse in cremation, funeral and burial transactions. FCA and its chapters take no money from the death care industry or government.