

TESTIMONY OF
DANIEL G. APPLGATE
ON BEHALF OF THE
OHIO CEMETERY ASSOCIATION
REGARDING AMENDMENT SC2828/AY to HB 166
BEFORE THE
SENATE FINANCE COMMITTEE
June 5, 2019

Chairman Dolan, Vice Chairman Burke, Ranking Member Sykes and members of the Committee, my name is Dan Applegate. I am the President of both The Arlington Memorial Gardens Association and The Arlington Memorial Funeral Home located in Cincinnati. I have worked in the cemetery industry for thirty-eight years. I also served on the Ohio Cemetery Dispute Resolution Commission for a three-year term and was a member on the Ohio Cemetery Law Task Force. Finally, I am a member of the Ohio Cemetery Association and a long-time member of its Legislative Committee and a past president of the Association. Like Mr. Roberts, I offer my testimony today on behalf of the OCA.

As detailed by Mr. Roberts, the expansion of the Board of Embalmers and Funeral Directors' rule-making authority to matters relating to the sale of preneed funeral goods by cemeteries is inconsistent with the current statutory dichotomy. Further, I can inform you that not only was such an expansion never discussed by any member of the Ohio Cemetery Law Task Force or advanced by any interested party testifying before such body, creating different standards or procedures relating to preneed sales by cemeteries didn't so much as register as a discussion item before the Task Force let alone a problem.

Since that time, however, the Board of Embalmers and Funeral Directors has: (1) issued a letter to all cemeteries instructing cemeteries to report preneed sales of funeral goods to such Board; (2) informally withdrawn such request; and (3) recently endorsed the current reporting structure.

Yet, here we are discussing such an overbroad expansion of the Board's rule-making authority. Obviously, the OCA vehemently opposes such an expansion.

I would be pleased to address any questions.