

Economic Matters Committee, and the Department of Legislative Services on or before October 1, 2008, October 1, 2009, and October 1, 2010, in accordance with § 2-1246 of the State Government Article of the Annotated Code of Maryland, on the implementation of the recommendations of the Department of Legislative Services contained in the update to the sunset evaluation report dated January 2007.

SECTION 6. 5. AND BE IT FURTHER ENACTED, That the Advisory Council on Cemetery Operations shall study the issue of abandoned and neglected cemeteries. The Advisory Council shall assess the success of the efforts of other states in maintaining abandoned and neglected cemeteries and develop a model for addressing the issue of abandoned and neglected cemeteries in Maryland. The model shall: (1) define and identify abandoned or neglected cemeteries in the State; (2) determine the most appropriate role for State and local government in overseeing the maintenance of abandoned and neglected cemeteries; (3) determine whether a formal inmate cemetery cleanup work program should be established with the Department of Public Safety and Correctional Services; (4) if a formal inmate cemetery cleanup program is established, determine how the program will be administered; (5) determine how State and local governments will play a role in funding a formal effort to maintain abandoned and neglected cemeteries; (6) identify additional private and governmental funding sources and incentive programs for the maintenance of abandoned and neglected cemeteries; and (7) define and identify historic cemeteries to acquire private and governmental funding. The Advisory Council shall obtain input from the Maryland Association of Counties and the Maryland Municipal League before completion of a model if the model includes creation of local cemetery oversight councils. The Advisory Council shall also assess methods for identifying and working with cemeteries in the State that are insolvent or that are facing insolvency in the near future to ensure that regulatory oversight is maintained and shall consider whether a formal category for inactive cemeteries would be appropriate. Based on its study, the Advisory Council shall develop a legislative proposal for introduction no later than the 2009 Legislative Session.

SECTION 6. AND BE IT FURTHER ENACTED, *That the Director of Cemetery Oversight, in consultation with the Advisory Council on Cemetery Operations, shall study the issue of regulating the preconstruction sale of space in garden crypts and mausoleum crypts in the State, including: (1) the scope of regulation needed; (2) the need for a preconstruction trust fund or performance bond; (3) penalties for under-funding a preconstruction trust fund; (4) provisions for temporary interment during the preconstruction period; (5) options available to consumers in the event of nonperformance of a preconstruction sales contract; (6) the costs of regulation; and (7) penalties for noncompliance with regulatory requirements. Based on the study, the Director shall develop a legislative proposal for introduction no later than the 2008 Legislative Session.*