

2011 DRAFTING REQUEST

Bill

Received: 11/16/2011

Received By: tkuczens

Wanted: As time permits

Companion to LRB:

For: Evan Wynn (608) 266-9650

By/Representing: Brandon VerVelde

May Contact:

Drafter: tkuczens

Subject: Occupational Reg. - prof lic
Tax, Property - exemption

Addl. Drafters: jkreye

Extra Copies:

Submit via email: YES

Requester's email: Rep.wynn@legis.wi.gov

Carbon copy (CC:) to: tracy.kuczenski@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Permit a funeral establishment to be located in a cemetery, prohibit discrimination in selection of funeral homes, and eliminate property tax exemption for certain cemetery authority property

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tkuczens 11/17/2011	jdyer 11/17/2011		_____			Local Tax
/P1	tkuczens 12/13/2011	jdyer 12/13/2011	phenry 11/18/2011	_____	sbasford 11/18/2011		Local Tax
/P2	tkuczens 12/15/2011	jdyer 12/19/2011	rschluet 12/13/2011	_____	mbarman 12/13/2011		Local Tax

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1			rschluet 12/20/2011	_____	mbarman 12/20/2011	ggodwin 01/20/2012	

FE Sent For:

*at intro
2-3-12*

<END>

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/P1		P2 12/13 jld	phenry 11/18/2011	_____	sbasford 11/18/2011		

FE Sent For:

<END>

LRB

2011 DRAFTING REQUEST

Bill

Received: 11/16/2011

Received By: tkuczens

Wanted: As time permits

Companion to LRB:

For: Evan Wynn (608) 266-9650

By/Representing: Brandon VerVelde

May Contact:

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/?	tkuczens	PI 11/17 Jld	Lmp 11/17	Jmp 11/18			

FE Sent For:

<END>

Kuczenski, Tracy

From: VerVelde, Brandon
Sent: Friday, October 28, 2011 11:41 AM
To: Kuczenski, Tracy
Subject: Bill Draft

Attachments: 11-23321_Final.pdf

Tracy,

Rep. Wynn would like to have the attached bill drafted in his name (we received it from Rep. Kapenga's office...but I'm not sure if they have officially released the draft or not).

However, we'd like to add a provision. We'd like to clarify that while cemeteries will be allowed to also have a funeral home on their premises, they are not allowed to discriminate against other funeral homes because of this. In other words, we don't want a cemetery saying that in order to have your loved one buried here, you have to go through our funeral home. We also want to prohibit charging different prices for the use of the funeral homes. For example, if you use a funeral home on the cemetery grounds, but a different cemetery for the burial, the funeral home would be prohibited from charging a higher price based solely on that. And vice versa, it shouldn't cost you more for a burial plot on a cemetery if you don't go through that cemetery's funeral home.

Would that be possible?

Thanks,

Brandon

CV. 157. 0666



11-23321_Final.pdf
f (28 KB)

--
Brandon P. VerVelde

Office of Rep. Evan Wynn
Follow Evan on [Facebook](#) and [Twitter](#)!

(608) 266-9650
Brandon.vervelde@legis.wi.gov



State of Wisconsin
2011 - 2012 LEGISLATURE

3490/P1



LRB-2332/T
TKK&JK/fdrs

Keep

insert

LMMR

2011 BILL

11/17/11
wanted 11/21/11

X

Regen

1 AN ACT *to repeal* 157.067 and 445.12 (6); and *to amend* 70.11 (13) of the
2 statutes; **relating to:** permitting a funeral establishment to be located in
3 cemetery and eliminating a property tax exemption for cemetery authority
4 property. ✓

Analysis by the Legislative Reference Bureau

Current law prohibits a licensed funeral director from operating a funeral establishment or mausoleum in a cemetery. Current law also prohibits a cemetery authority from permitting a funeral establishment to be located on cemetery property. With certain exceptions, current law prohibits a cemetery authority from receiving or accepting any commission, fee, remuneration, or benefit of any kind from a funeral establishment or from an owner, employee, or agent of a funeral establishment. This bill eliminates each of these prohibitions.

Under current law, land owned by a cemetery authority that is used exclusively as public burial grounds, tombs, and monuments is exempt from the property tax. In addition, personal property owned by the cemetery authority that is necessary for the care and management of burial grounds and sites is exempt from the property tax. Under the bill, land physically occupied by a funeral establishment, if the land is located in a cemetery, is subject to the property tax.

Because this bill relates to an exemption from state or local taxes, it may be referred to the Joint Survey Committee on Tax Exemptions for a report to be printed as an appendix to the bill.

Insert ✓
analysis →

1 **Insert 2-11**

2 **SECTION 2.** 157.067 (1) of the statutes is renumbered 157.066 (1).

***NOTE: I moved the definition of "funeral establishment" that had been located under s. 157.067 to this new section; are you comfortable with that definition?

3 **SECTION 3.** 157.067 (2) and (2m) of the statutes are repealed.

4 **Insert 2-12**

5 **SECTION 4.** 445.1 (6m) of the statutes is created to read:

6 445.1 (6m) No licensed funeral director or operator of a funeral establishment
7 that is erected, owned, or operated by a cemetery authority or a financial interest of
8 which is held by a cemetery authority may do any of the following:

9 (a) Require the human remains of a decedent to be buried in the cemetery
10 authority's cemetery as a condition of caring or preparing for burial or transportation
11 of the decedent or as a condition of conducting funeral services for the decedent.

12 (b) Charge a fee for caring or preparing for burial or transportation the human
13 remains of a decedent or for conducting funeral services for a decedent whose human
14 remains are buried at a cemetery other than the cemetery authority's cemetery that
15 exceeds the fee that would have been charged for these services had the human
16 remains been buried at the cemetery authority's cemetery.

(end ins 2-12)

1 **Insert analysis**

Under the bill, if a cemetery authority erects, owns, operates³ or has a financial interest in a funeral establishment, that cemetery authority may not prohibit the burial at the cemetery authority's cemetery of a deceased person whose human remains were prepared for burial or whose funeral services were conducted at a funeral establishment that has no relationship with the cemetery authority. The bill also prohibits a cemetery authority that erects, owns, operates³ or has a financial interest in a funeral establishment from charging a higher fee for burial of a deceased person whose human remains were prepared for burial or whose funeral services were conducted at a funeral establishment that has no relationship with the cemetery authority.✓

2 **Insert 2-10**

3 **SECTION 1.** 157.066 of the statutes is created to read:

4 **157.066 Discrimination against funeral establishments prohibited.** (2)⁴

5 Except as provided under s. 157.635, no cemetery authority that has erected a
6 funeral establishment or that maintains any ownership, operation, or other financial
7 interest in a funeral establishment may do any of the following:✓

8 (a) Prohibit a burial of a decedent's human remains in the cemetery authority's
9 cemetery because the caring or preparing for burial or transportation of the human
10 remains or the funeral services conducted for the decedent occurred at a funeral
11 establishment other than the funeral establishment erected, maintained, owned,
12 operated, or financially connected to the cemetery authority's cemetery.✓

13 (b) Charge a fee for the burial of a decedent's human remains in the cemetery
14 authority's cemetery that exceeds the fee[✓] that would have been charged for the burial
15 had the human remains been prepared for burial or transportation or had funeral
16 services for the decedent been conducted at the funeral establishment[✓] erected,
17 maintained, owned, operated, or financially connected to the cemetery authority's
18 cemetery.✓

(end ins 2-10)

Kuczenski, Tracy

From: VerVelde, Brandon
Sent: Thursday, December 08, 2011 1:06 PM
To: Kuczenski, Tracy
Subject: RE: LRB 3490

Yes, items 3 and 4 go ahead with.

Thanks,

Brandon

From: Kuczenski, Tracy
Sent: Thursday, December 08, 2011 12:51 PM
To: VerVelde, Brandon
Subject: RE: LRB 3490

Okay; Do you want me to go ahead with any of the drafting instructions in your email below?

Tracy

Tracy K. Kuczenski
Legislative Attorney
Wisconsin Legislative Reference Bureau
tracy.kuczenski@legis.wisconsin.gov
(608) 266-9867

From: VerVelde, Brandon
Sent: Thursday, December 08, 2011 11:51 AM
To: Kuczenski, Tracy
Subject: RE: LRB 3490

Tracy,

After some further examination, we'd like to abandon the trusting requirements in the bill. We'd like to retain current law in regards to the trusting.

Thanks,

Brandon

--

Brandon P. VerVelde

Office of Rep. Evan Wynn
Follow Evan on [Facebook](#) and [Twitter!](#)

(608) 266-9650
Brandon.vervelde@legis.wi.gov

From: Kuczenski, Tracy
Sent: Tuesday, December 06, 2011 11:11 AM
To: VerVelde, Brandon
Subject: RE: LRB 3490

Hi Brandon –

I'll take a look at these changes and get back to you with questions as soon as I can. At that time, I'll address your questions in number 4.

Thanks,
Tracy

Tracy K. Kuczenski
Legislative Attorney
Wisconsin Legislative Reference Bureau
tracy.kuczenski@legis.wisconsin.gov
(608) 266-9867

From: VerVelde, Brandon
Sent: Tuesday, December 06, 2011 10:55 AM
To: Kuczenski, Tracy
Subject: RE: LRB 3490

Tracy,

A couple changes we'd like to pursue.

1. For the trusting requirement, Rep. Wynn has decided he'd like the 100% trusting requirement to only apply to cemeteries that have an interest in a funeral home (or vice versa). The trusting requirement would not apply to cemeteries that are not in any way involved with a funeral home.
2. We'd like to word the trusting provision to apply to when the services/products are delivered. For a cemetery, the trusting works slightly differently in practice because they can deliver products prior to the death of the individual, such as a head stone. So we'd like to require them to be 100% trusted until the delivery of a product. At that point, the cemetery would be allowed to take the appropriate amount out of trust to pay for the product.
3. We'd like to delete the provision regarding price regulation for joint operations of a cemetery and funeral home. I believe this is covered on Page 3 lines 6-11 and Page 4 lines 1-5. We'd like to allow a joint operation to pass along savings to a customer that uses both.
4. We'd like to adjust the non-discrimination clause to ensure that a religious organization is allowed to discriminate against the burial of someone outside of their religion (as it's currently drafted) but not because that person didn't use the funeral home. In other words, Rep. Wynn feels that s. 157.635 as its currently written would allow a religious organization to create in their regulations a stipulation that all who are buried in their cemetery use the funeral home services. I don't know for sure, but I think that that's where the adjustment might be best, maybe language in 157.635 that allows the religious organization regulations except those regulations that require the use of the funeral home services. Does that make sense to you? Is there something that we are missing in regards to this issue that accomplishes the goal?

Thanks,

Brandon

--

Brandon P. VerVelde

Office of Rep. Evan Wynn
Follow Evan on [Facebook](#) and [Twitter!](#)

(608) 266-9650
Brandon.vervelde@legis.wi.gov

From: Kuczenski, Tracy
Sent: Tuesday, November 29, 2011 10:48 AM
To: VerVelde, Brandon
Subject: RE: LRB 3490

No, not that I can think of off the top of my head...

I'll revise the bill accordingly.

Tracy

Tracy K. Kuczenski
Legislative Attorney
Wisconsin Legislative Reference Bureau
tracy.kuczenski@legis.wisconsin.gov
(608) 266-9867

From: VerVelde, Brandon
Sent: Tuesday, November 29, 2011 10:46 AM
To: Kuczenski, Tracy
Subject: RE: LRB 3490

We would like it to apply to all cemeteries.

Do you foresee an issue with that? I'd assume that the cemeteries won't like it, but other than their feelings, do you see a logistical or other obstacle from implementing that?

From: Kuczenski, Tracy
Sent: Tuesday, November 29, 2011 9:53 AM
To: VerVelde, Brandon
Subject: RE: LRB 3490

Hi Brandon –

Do you want this "trusting" requirement to apply to all cemeteries, or only cemeteries that maintain a relationship with a funeral establishment?

Tracy

Tracy K. Kuczenski
Legislative Attorney
Wisconsin Legislative Reference Bureau
tracy.kuczenski@legis.wisconsin.gov
(608) 266-9867

From: VerVelde, Brandon
Sent: Tuesday, November 29, 2011 9:34 AM
To: Kuczenski, Tracy
Subject: LRB 3490

Tracy,

We'd like to amend the bill to require that cemeteries be 100% trusted. I believe right now that funeral homes are required to be 100% trusted under the law, but cemeteries are only required to have 40% in a trust. We'd like to up that to 100%.

Thanks,

Brandon

--

Brandon P. VerVelde

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Follow Evan on [Facebook](#) and [Twitter](#)!

(608) 266-9650
Brandon.vervelde@legis.wi.gov



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-3490/P1 P2
TKK&JK:jld:imp

RMR
insert

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

12/13/11

soon



X

Regen

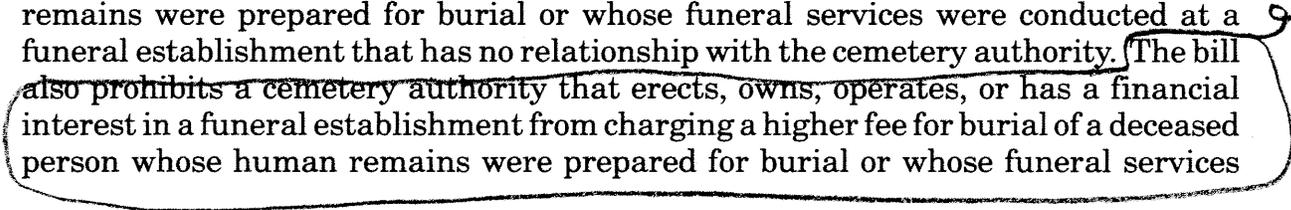
1 AN ACT *to repeal* 157.067 (title), 157.067 (2) and (2m) and 445.12 (6); *to*
2 *renumber* 157.067 (1); *to amend* 70.11 (13); and *to create* 157.066 and 445.12
3 (6m) of the statutes; **relating to:** permitting a funeral establishment to be
4 located in cemetery and eliminating a property tax exemption for cemetery
5 authority property.

Analysis by the Legislative Reference Bureau

Current law prohibits a licensed funeral director from operating a funeral establishment or mausoleum in a cemetery. Current law also prohibits a cemetery authority from permitting a funeral establishment to be located on cemetery property. With certain exceptions, current law prohibits a cemetery authority from receiving or accepting any commission, fee, remuneration, or benefit of any kind from a funeral establishment or from an owner, employee, or agent of a funeral establishment. This bill eliminates each of these prohibitions.

Under the bill, if a cemetery authority erects, owns, operates, or has a financial interest in a funeral establishment, that cemetery authority may not prohibit the burial at the cemetery authority's cemetery of a deceased person whose human remains were prepared for burial or whose funeral services were conducted at a funeral establishment that has no relationship with the cemetery authority. The bill also prohibits a cemetery authority that erects, owns, operates, or has a financial interest in a funeral establishment from charging a higher fee for burial of a deceased person whose human remains were prepared for burial or whose funeral services

Insert analysis ✓



Handwritten notes at the bottom of the page, including "analysis" and "of document" and other illegible scribbles.

were conducted at a funeral establishment that has no relationship with the cemetery authority.

Under current law, land owned by a cemetery authority that is used exclusively as public burial grounds, tombs, and monuments is exempt from the property tax. In addition, personal property owned by the cemetery authority that is necessary for the care and management of burial grounds and sites is exempt from the property tax. Under the bill, land physically occupied by a funeral establishment, if the land is located in a cemetery, is subject to the property tax.

Because this bill relates to an exemption from state or local taxes, it may be referred to the Joint Survey Committee on Tax Exemptions for a report to be printed as an appendix to the bill.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 70.11 (13) of the statutes is amended to read:

2 70.11 (13) CEMETERIES. Land owned by cemetery authorities, as defined in s.
3 157.061 (2), and used exclusively as public burial grounds and tombs and
4 monuments therein, and privately owned burial lots; land adjoining such burial
5 grounds, owned and occupied exclusively by the cemetery authority for cemetery
6 purposes; personal property owned by any cemetery authority and necessary for the
7 care and management of burial grounds; burial sites and contiguous lands which are
8 cataloged under s. 157.70 (2) (a). This subsection does not apply to land physically
9 occupied by a funeral establishment, if the land is located in a cemetery.

10 **SECTION 2.** 157.066 of the statutes is created to read:

11 **157.066 Discrimination against funeral establishments prohibited.** ✓

12 (2) ✓ Except as provided under s. 157.635, no cemetery authority that has erected
13 a funeral establishment or that maintains any ownership, operation, or other
14 financial interest in a funeral establishment may do any of the following:

NO
A

No π
the

1 (a) Prohibit burial of a decedent's human remains in the cemetery authority's
2 cemetery because the caring or preparing for burial or transportation of the human
3 remains or the funeral services conducted for the decedent occurred at a funeral
4 establishment other than the funeral establishment erected, maintained, owned,
5 operated, or financially connected to the cemetery authority's cemetery.

6 (b) Charge a fee for the burial of a decedent's human remains in the cemetery
7 authority's cemetery that exceeds the fee that would have been charged for the burial
8 had the human remains been prepared for burial or transportation or had funeral
9 services for the decedent been conducted at the funeral establishment erected,
10 maintained, owned, operated, or financially connected to the cemetery authority's
11 cemetery.

12 SECTION 3. 157.067 (title) of the statutes is repealed.

13 SECTION 4. 157.067 (1) of the statutes is renumbered 157.066 (1).

****NOTE: I moved the definition of "funeral establishment" that had been located under s. 157.067 to this new section; are you comfortable with that definition?

14 SECTION 5. 157.067 (2) and (2m) of the statutes are repealed.

15 SECTION 6. 445.12 (6) of the statutes is repealed.

16 SECTION 7. 445.12 (6m) of the statutes is created to read:

17 445.12 (6m) No licensed funeral director or operator of a funeral establishment
18 that is erected, owned, or operated by a cemetery authority or a financial interest of

19 which is held by a cemetery authority may ~~do any of the following:~~ NO π

20 (a) Require the human remains of a decedent to be buried in the cemetery
21 authority's cemetery as a condition of caring or preparing for burial or transportation
22 of the decedent or as a condition of conducting funeral services for the decedent.

le 1 (b) Charge a fee for caring or preparing for burial or transportation the human
2 remains of a decedent or for conducting funeral services for a decedent whose human
3 remains are buried at a cemetery other than the cemetery authority's cemetery that
4 exceeds the fee that would have been charged for these services had the human
5 remains been buried at the cemetery authority's cemetery.

6 **SECTION 8. Initial applicability.**

7 (1) The treatment of section 70.11 (13) of the statutes first applies to the
8 property tax assessments as of January 1, 2012. ✓

9 (END)

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3490/P1ins
TKK&JK:jld:imp

1

Insert analysis

¶ Current law permits the cemetery authority of a cemetery that is affiliated with a religious society to adopt regulations that prohibit the burial in the cemetery of human remains of an individual who is not in the class of individuals identified by the religious society for burial in the cemetery. ✓ This bill retains the right of a cemetery authority that is affiliated with a religious society to exclude individuals who fall outside the class of individuals identified by the religious society from burial in the cemetery in all circumstances. However, NO

¶



State of Wisconsin
2011 - 2012 LEGISLATURE

2011 BILL

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION



LRB-3490/P
TKK&JK:jld:rs

RMNR
inc.

12/15/11

soon

✓

1

2

3

4

5

Regen
AN ACT to repeal 157.067 (title), 157.067 (2) and (2m) and 445.12 (6); to renumber 157.067 (1); to amend 70.11 (13); and to create 157.066 and 445.12 (6m) of the statutes; relating to: permitting a funeral establishment to be located in cemetery and eliminating a property tax exemption for cemetery authority property.

prohibiting discrimination against a funeral establishment that has no relationship with a cemetery; prohibiting discrimination against a cemetery that has no relationship with a funeral establishment

Analysis by the Legislative Reference Bureau

Current law prohibits a licensed funeral director from operating a funeral establishment or mausoleum in a cemetery. Current law also prohibits a cemetery authority from permitting a funeral establishment to be located on cemetery property. With certain exceptions, current law prohibits a cemetery authority from receiving or accepting any commission, fee, remuneration, or benefit of any kind from a funeral establishment or from an owner, employee, or agent of a funeral establishment. This bill eliminates each of these prohibitions.

Current law permits the cemetery authority of a cemetery that is affiliated with a religious society to adopt regulations that prohibit the burial in the cemetery of human remains of an individual who is not in the class of individuals identified by the religious society for burial in the cemetery. This bill retains the right of a cemetery authority that is affiliated with a religious society to exclude individuals who fall outside the class of individuals identified by the religious society from burial in the cemetery in all circumstances. However, under the bill, if a cemetery authority erects, owns, operates, or has a financial interest in a funeral establishment, that

✓
Analysis A

11

Insert analysis B ✓
cemetery authority may not prohibit the burial at the cemetery authority's cemetery of a deceased person whose human remains were prepared for burial or whose funeral services were conducted at a funeral establishment that has no relationship with the cemetery authority. ✓

Under current law, land owned by a cemetery authority that is used exclusively as public burial grounds, tombs, and monuments is exempt from the property tax. In addition, personal property owned by the cemetery authority that is necessary for the care and management of burial grounds and sites is exempt from the property tax. Under the bill, land physically occupied by a funeral establishment, if the land is located in a cemetery, is subject to the property tax.

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For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 70.11 (13) of the statutes is amended to read:

2 70.11 (13) CEMETERIES. Land owned by cemetery authorities, as defined in s.
3 157.061 (2), and used exclusively as public burial grounds and tombs and
4 monuments therein, and privately owned burial lots; land adjoining such burial
5 grounds, owned and occupied exclusively by the cemetery authority for cemetery
6 purposes; personal property owned by any cemetery authority and necessary for the
7 care and management of burial grounds; burial sites and contiguous lands which are
8 cataloged under s. 157.70 (2) (a). This subsection does not apply to land physically
9 occupied by a funeral establishment, if the land is located in a cemetery.

10 **SECTION 2.** 157.066 of the statutes is created to read:

11 **157.066 Discrimination against funeral establishments prohibited.**

12 (2) (Except as provided under s. 157.635,) no cemetery authority that has erected
13 a funeral establishment or that maintains any ownership, operation, or other
14 financial interest in a funeral establishment may prohibit the burial of a decedent's

1 human remains in the cemetery authority's cemetery because the caring or
2 preparing for burial or transportation of the human remains or the funeral services
3 conducted for the decedent occurred at a funeral establishment other than the
4 funeral establishment erected, maintained, owned, operated, or financially
5 connected to the cemetery authority's cemetery.

6 **SECTION 3.** 157.067 (title) of the statutes is repealed.

7 **SECTION 4.** 157.067 (1) of the statutes is renumbered 157.066 (1).

8 **SECTION 5.** 157.067 (2) and (2m) of the statutes are repealed.

9 **SECTION 6.** 445.12 (6) of the statutes is repealed.

10 **SECTION 7.** 445.12 (6m) of the statutes is created to read:

11 445.12 **(6m)** No licensed funeral director or operator of a funeral establishment
12 that is erected, owned, or operated by a cemetery authority or a financial interest of
13 which is held by a cemetery authority may require the human remains of a decedent
14 to be buried in the cemetery authority's cemetery as a condition of caring or preparing
15 for burial or transportation of the decedent or as a condition of conducting funeral
16 services for the decedent.

17 **SECTION 8. Initial applicability.**

18 (1) The treatment of section 70.11 (13) of the statutes first applies to the
19 property tax assessments as of January 1, 2012.

20 (END)

Insert 3-9

✓

1 **Insert analysis A**

2 religiously^{ea} affiliated cemetery authority to adopt such regulations. However, under
3 the bill, a religiously^{ea} affiliated cemetery authority may not adopt regulations that
4 prohibit the human remains of an individual from being buried at the cemetery
5 authority's cemetery because funeral services for the individual were conducted at
6 a funeral establishment other than a funeral establishment that has a financial
7 relationship with the cemetery authority's cemetery. Nor may the ^{Also,}
8 religiously^{ea} affiliated cemetery authority ^{may not} adopt regulations that prohibit the human
9 remains of an individual from being buried at the cemetery authority's cemetery ^{because} the
10 human remains were prepared for burial or transportation at a funeral
11 establishment other than a funeral establishment that has a financial relationship
12 with the cemetery authority's cemetery. ✓

13 **Insert analysis B**

14 ^{#B} Finally, a funeral establishment ✓ that has an ownership or other financial
15 relationship with a cemetery authority ✓ may not require the human remains of a
16 decedent to be buried in the cemetery authority's cemetery as a condition of those
17 human remains being cared for or prepared for transportation or burial at that
18 funeral establishment. ✓

(end insert analysis B)

make single spaced please

1 **Insert 3-9**

2 **SECTION 1.** 157.635^x of the statutes is renumbered 157.635 (1) and amended to
3 read:

4 157.635 ~~Regulations of cemetery affiliated with religious society~~ (1)
5 Nothing Subject to sub. (2),[✓] nothing in this subchapter prohibits a cemetery
6 authority of a cemetery that is affiliated with a religious society organized under ch.
7 187 from prohibiting the burial of the human remains of an individual in the
8 cemetery if the individual was in a class of individuals who are prohibited under
9 regulations adopted by the cemetery authority or religious society from being buried
10 in the cemetery.

History: 1989 a. 307.

11 **SECTION 2.** 157.635^x (2) of the statutes is created to read:

12 157.635 (2) A cemetery authority described in sub. (1)[✓] may not adopt a
13 regulation that prohibits the human remains of an individual from being buried in
14 the cemetery on the basis of any of the following:[✓]

15 ~~1.~~ ^(a) 1. That funeral services for the deceased individual were conducted at a
16 funeral establishment other than a funeral establishment[✓] erected, maintained,
17 owned, operated, or financially connected to the cemetery authority's cemetery.[✓]

18 ~~2.~~ ^(b) 2. That the human remains of the deceased individual were cared for or
19 prepared for burial or transportation at a funeral establishment other than a funeral
20 establishment[✓] erected, maintained, owned, operated, or financially connected[✓] to the
21 cemetery authority's cemetery.

(end ins 3-9)

Godwin, Gigi

From: VerVelde, Brandon
Sent: Friday, January 20, 2012 1:12 PM
To: LRB.Legal
Subject: Draft Review: LRB 11-3490/1 Topic: Permit a funeral establishment to be located in a cemetery, prohibit discrimination in selection of funeral homes, and eliminate property tax exemption for certain cemetery authority property

Please Jacket LRB 11-3490/1 for the ASSEMBLY.