



## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	Cemetery Board
<b>Virginia Administrative Code (VAC) citation</b>	18 VAC 47-20
<b>Regulation title</b>	Cemetery Board Regulations
<b>Action title</b>	Amend regulations to reduce fees
<b>Final agency action date</b>	June 8, 2005
<b>Document preparation date</b>	September 1, 2005

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 21 (02) and 58 (99).

### Summary

*Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

The Cemetery Board voted to reduce its fees. At the close of each biennium, the Department of Professional and Occupational Regulation is required by Section 54.1-113 of the Code of Virginia (Callahan Act) to review each board's financial position to determine whether fees need to be adjusted to ensure that revenues are sufficient, but not excessive, to cover the board's operating expenses.

The Cemetery Board's fees first became effective July 2000 and the Board has completed a full renewal cycle. At the close of the 2002-2004 biennium, the Board has accumulated a cash balance of \$188,455, with a Callahan Act position of 408%.

Current fees will continue to produce revenue and cash balances that are substantially greater than necessary to cover the Board's operating expenses for the foreseeable future. Reductions in fees are needed to bring revenues and cash balances to an appropriate amount, will allow the Board to begin gradually using its accumulated cash to support ongoing operations and will result in a gradual decrease in the Board's cash balance and Callahan Act position.

**Statement of final agency action**

*Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.*

The Cemetery Board voted to take this action of reducing its fees in the Cemetery Board Regulations at its meeting on June 8, 2005.

**Family impact**

*Assess the impact of this regulatory action on the institution of the family and family stability.*

There is no known impact on the family by this regulatory action.

**Periodic review**

*If this final regulation is not the result of a periodic review of the regulation, please delete this entire section. If this final regulation is the result of a periodic review, please (1) summarize all comments received during the public comment period following the publication of the Notice of Periodic Review, and (2) indicate whether the regulation meets the criteria set out in Executive Order 21, e.g., is necessary for the protection of public health, safety, and welfare, and is clearly written and easily understandable.*

Commenter	Comment	Agency response

Enter statement here