



FILED
INDEX DEPARTMENT

JUL 16 2009

IN THE OFFICE OF
SECRETARY OF STATE

SPRINGFIELD, ILLINOIS

Executive Order

09-16

EXECUTIVE ORDER CREATING THE CEMETERY OVERSIGHT TASK FORCE AND REQUIRING IMMEDIATE INVESTIGATION OF LICENSEES DOING BUSINESS WITH BURR OAK CEMETERY

WHEREAS, the recent tragic events at Burr Oak Cemetery have highlighted a deficiency in our current mechanisms for regulating and overseeing the operation and management of cemeteries; and

WHEREAS, the people of our State demand proper care and handling for the disposition of human remains; and

WHEREAS, establishment of a Task Force would contribute towards establishing an effective system to protect the people of our State.

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, pursuant to the authority vested in me by Article V of the Illinois Constitution, do hereby order as follows:

I. THE CEMETERY OVERSIGHT TASK FORCE

a. Creation

There is hereby created a Cemetery Oversight Task Force (hereinafter "Task Force") composed of nine (9) members having the duties and powers set forth herein, with respect to the Office of the Governor and agencies under the jurisdiction of the Office of the Governor.

b. Purpose

The purpose of the Cemetery Oversight Task Force is to, by September 15, 2009, conduct a comprehensive review of:

1. Illinois' present structural arrangement for regulating cemeteries, funeral directors, and embalmers compared to the manner in which other states arrange their regulatory framework;
2. The substance of Illinois' laws and regulations governing cemeteries, funeral directors and embalmers compared to other states, with a view to recommending for implementation in Illinois the best practices;
3. The circumstances surrounding the recent tragic events at Burr Oak Cemetery;
4. The extent to which similar tragedies have occurred or could occur elsewhere.

By September 15, 2009, the Cemetery Oversight Task Force shall submit a report of its findings to the Governor and to the Secretary of the Department of Financial and Professional Regulation. The report should provide detailed recommendations on what policies, laws, rules, and regulations should be implemented to ensure that the manner in which care for the deceased is humane and respectful, including:

- a. How and by what governmental entity the finances of cemeteries and the conduct of cemetery personnel should be regulated;
- b. Whether regulations governing funeral directors, embalmers, and crematoria can or should be strengthened.

c. Membership

In addition to the Secretary of the Department of Financial and Professional Regulation, the Director of the Department of Public Health shall serve as a member of the Task Force. The Governor shall also appoint a chairperson and nine (9) members. The chairperson of the Task Force shall invite the Speaker of the House of Representatives, the President of the Senate, the Minority Leader of the House of Representatives and the Minority Leader of the Senate to designate a legislative ombudsperson to contribute to the proceedings of the Task Force on matters of policy and legislation. Legislative ombudspersons shall serve in an ex-officio, non-voting capacity.

d. Transparency

In addition to any other applicable laws, rules, or regulations, all aspects of the Cemetery Oversight Task Force shall be governed by the Freedom of Information Act, 5 ILCS 140/1 *et. seq.*, and the Open Meetings Act, 5 ILCS 120/1 *et seq.*

II. EXECUTIVE ACTION TO INVESTIGATE POTENTIAL MALFEASANCE

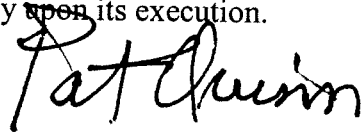
I hereby direct the Secretary of the Department of Financial and Professional Regulation, (hereinafter "the Department") pursuant to the statutory and regulatory authority of that office to order all funeral directors and embalmers licensed by the Department to conduct an audit of all of their books and records and to submit to the Department copies of books and records that reflect or relate to business transactions or communications with Burr Oak Cemetery over the past five years.

III. DEPLOYMENT OF AVAILABLE STATE RESOURCES

Not later than seven (7) days after the effective date of this order, I hereby direct all agencies directly responsible to the Governor to report on the extent to which any resources or personnel under their agency's jurisdiction could assist authorities currently addressing the tragedy at Burr Oak Cemetery.

IV. EFFECTIVE DATE

This Order shall take effect immediately upon its execution.



Pat Quinn
GOVERNOR

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Issued by Governor: July 16, 2009
Filed with Secretary of State: July 16, 2009

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