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INDEPENDENT REGULATORY  
REVIEW COMMISSION

September 25, 2007

Hon. Thomas F. Yewcic  
300 Irvis Office Building  
P.O. Box 202072  
Harrisburg, PA 17120-2072

RE: Proposed Pre-Need Regulation #16A (Pre-Need Funeral Arrangements)

Dear Representative Yewcic:

I am writing to you regarding your position as a member of the House Professional Licensure Committee. More specifically, I want to weigh in relative to the regulation proposed by the State Board of Funeral Directors (SBFD) on which your committee will be voting tomorrow. In this regard, I strongly urge you to take a stand against Proposed Pre-Need Regulation #16A (Pre-Need Funeral Arrangements).

I have reviewed the proposed regulation and I feel strongly that it ignores, and attempts to establish rules that are contrary to, a recent decision by the Commonwealth Court against the SBFD whose appeal was also denied. Having lost convincingly in that venue, the SBFD is now attempting, as it has in the past, to circumvent the court's interpretation of the law by enacting regulations that are both anti-consumer and unconstitutional.

AmeriServ Trust and Financial Services Company has numerous business relationships with funeral directors from across the Commonwealth and the proposed regulation would have a negative impact on the pre-need segment of that business. For this reason I plan to circulate information relative to this matter to each of AmeriServ's over 400 employees, most of whom reside and have deep roots in this area.

I trust you will adhere to the provisions of your oath wherein you pledged to uphold the laws of the Commonwealth of Pennsylvania. The Commonwealth Court correctly interpreted the law of this fine Commonwealth when it ruled against the SBFD and as our Representative I ask you to support that decision and the law that it had interpreted by voting against the proposed regulation in committee tomorrow.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ronald W. Virag", is written over a printed name and title.

Ronald W. Virag  
President and CEO