

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 426

BY BUSINESS COMMITTEE

AN ACT

RELATING TO THE STATE BOARD OF MORTICIANS; AMENDING SECTION 54-1105,
IDAHO CODE, TO REVISE BOARD MEMBER COMPENSATION AND TO MAKE TECHNICAL
CORRECTIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 54-1105, Idaho Code, be, and the same is hereby
amended to read as follows:

54-1105. BOARD OF MORTICIANS. There is hereby established in the
department of self-governing agencies a state board of morticians to be
composed of three (3) members appointed by the governor in the manner
hereinafter set forth. Each member of the board shall be a duly licensed
mortician under the laws of the state of Idaho and a resident of the state of
Idaho for a period of at least five (5) years next preceding his appointment,
during which time he shall have been continuously engaged in the practice
as a mortician as defined in this ~~act~~ chapter. No person shall be eligible
for appointment to the board of morticians who is financially interested,
directly or indirectly, in any embalming college, wholesale funeral supply
business, or casket ~~manufacture~~ manufacturing business.

The governor shall appoint the members of the board from a list of
qualified morticians of triple the number of persons to be appointed,
who shall be proposed and submitted to him by the Idaho ~~F~~Funeral ~~S~~Service
~~A~~Association, or other statewide organization or association of licensed
morticians whose membership is composed of a majority of all licensed
morticians of the state; ~~provided, however, all members of the board of~~
~~embalming examiners existing as of the effective date of this act are hereby~~
~~automatically appointed as members of the board of morticians to serve for~~
~~the remainder of their appointed terms.~~

All members of the board of morticians shall be appointed to serve for
a term of three (3) years, to expire on May 1 of the year of termination of
their term, and until their successors have been appointed and qualified;
~~provided,~~ however, the governor is hereby granted the power to alter the term
of office of the members of the board first appointed hereunder so that the
term of office of not more than one (1) member of the board shall terminate in
any one (1) year. In case of a vacancy occurring on said board of morticians
by reason of the death of any member, or his resignation, incapacity, neglect
or refusal to act, or in any other way, the governor shall appoint a qualified
member for the remainder of the unexpired term of the vacant office from
a list of duly qualified morticians prepared and submitted in the manner
prescribed herein for the initial appointment of members to the board. Any
member of the board of morticians who ~~wilfully~~ willfully fails to properly
discharge his duties may be removed by the governor.

1 The board shall meet, not less than annually, to elect a chairman, vice
2 chairman and secretary and take official board action on pending matters by
3 majority vote of all the members of the board of morticians, and in doing so a
4 majority of the members of said board shall at all times constitute a quorum.
5 Notice of any meeting shall be given by the chairman to all members of the
6 board at least ten (10) days in advance of each meeting unless such notice is
7 waived in writing by all of the members of the board.

8 Each member of the board of morticians shall be compensated as provided
9 by section 59-509 (~~em~~), Idaho Code.