

SECOND REGULAR SESSION

# HOUSE BILL NO. 1588

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BAKER (123).

Read 1st time January 9, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

3476L.01I

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### AN ACT

To repeal section 333.151, RSMo, and to enact in lieu thereof one new section relating to the state board of embalmers and funeral directors.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 333.151, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 333.151, to read as follows:

333.151. 1. The state board of embalmers and funeral directors shall consist of [six] **eleven** members, including one voting public member, appointed by the governor with the advice and consent of the senate, **and five consumer advocates. Of the consumer advocate members, one shall be an employee of the attorney general's office and appointed by the attorney general, one shall be an employee of the division of aging and appointed by the director of the division of aging, one shall be an employee of the department of health and senior services and appointed by the director of the department of health and senior services, and two shall be appointed by the governor with the advice and consent of the senate.** Each member **appointed**, other than the public member **and the consumer advocate members**, [appointed] shall possess either a license to practice embalming or a license to practice funeral directing in this state or both said licenses and shall have been actively engaged in the practice of embalming or funeral directing for a period of five years next before his or her appointment. Each member shall be a United States citizen, a resident of this state for a period of at least one year, a qualified voter of this state and shall be of good moral character. Not more than three members of the board shall be of the same political party. The president of the

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 Missouri Funeral Directors Association in office at the time shall each, at least ninety days prior  
17 to the expiration of the term of a board member, other than the public member, or as soon as  
18 feasible after a vacancy on the board otherwise occurs, submit to the director of the division of  
19 professional registration a list of five persons qualified and willing to fill the vacancy in question,  
20 with the request and recommendation that the governor appoint one of the five persons so listed,  
21 and with the list so submitted, the president of the Missouri Funeral Directors Association shall  
22 each include in his or her letter of transmittal a description of the method by which the names  
23 were chosen by that association.

24         2. Each member of the board shall serve for a term of five years. Any vacancy on the  
25 board shall be filled by the governor and the person appointed to fill the vacancy shall possess  
26 the qualifications required by this chapter and shall serve until the end of the unexpired term of  
27 his or her predecessor.

28         3. The public member shall be at the time of his or her appointment a person who is not  
29 and never was a member of any profession licensed or regulated pursuant to this chapter or the  
30 spouse of such person; and a person who does not have and never has had a material, financial  
31 interest in either the providing of the professional services regulated by this chapter, or an  
32 activity or organization directly related to any profession licensed or regulated pursuant to this  
33 chapter. All members, including public members, shall be chosen from lists submitted by the  
34 director of the division of professional registration. The duties of the public member shall not  
35 include the determination of the technical requirements to be met for licensure or whether any  
36 person meets such technical requirements or of the technical competence or technical judgment  
37 of a licensee or a candidate for licensure.

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