

## MINUTES

South Carolina Funeral Board

Conference Call

9:00 a.m., Tuesday, February 6, 2001

110 Centerview Drive, Kingstree Building, Room 104-01

Columbia, South Carolina

Mr. Larry Hendrix, President, of Walhalla, called the conference call meeting to order at 9:00 a.m. Other members participating during the meeting included: Mr. Mike Thornwell, Vice President, of Ft. Mill; Mr. Ward Avinger, Secretary, of Holly Hill; Mr. Phillip Caulder, of Chesterfield; Mr. Roger Finch, of Greenville; Mr. John Eggers, of Boiling Springs; Mr. Sam Halls, of Mt. Pleasant; Mr. Robert Parks, of Charleston; Mr. James Adcock, of Orangeburg; and Mr. Clarence Hampton, of Seneca.

Staff members participating during the meeting included: Ms. Louann Pyatt, Administrator; Ms. Misty Goldstein, LLR Legislative Liaison; and Ms. Sandra Dickert, Administrative Assistant.

Mr. Hendrix noted the meeting was being held in accordance with the Freedom of Information Act by notice mailed to The State Newspaper, Associated Press, WIS-TV and all other requesting persons, organizations, or news media. In addition, notice was posted on the bulletin boards at the two main entrances of the Kingstree Building.

#### New Business

##### 1. Proposed legislation and Changes

Mr. Hendrix stated the proposed legislation is scheduled to be introduced today in the House of Representatives. He went on to say Representative Sandifer has proposed changes to the bill that he is not sure all of the members are aware of. He noted all of the members should have a copy of the changes (These changes are attached as Addendum A.)

Mr. Hendrix stated one change Representative Sanders is proposing, not included on the list, deals with having a license for five years prior to becoming licensed by reciprocity. Mr. Halls stated that change was mentioned, however, it was not discussed at length at the meeting.

Mr. Hendrix stated, to his knowledge, the Morticians' Association nor the Funeral Directors Association is aware of these changes.

#### Section 40-19-10

"Requirement for any board member representing an association to be a full-time employee of a funeral home."

Mr. Caulder moved the board approve adding this change to Section 40-19-10 to the bill.

The motion was seconded by Mr. Parks. Following a brief discussion, the motion passed with a majority vote.

Mr. Thornwell moved that the board add, after the introduction, language concerning the equalization of members representing both associations. Mr. Hampton seconded the motion. Following some discussion regarding the legislative committee meeting and introducing legislation by a member of the House or Senate, Mr. Thornwell withdrew his motion and respectfully asked that this issue be addressed at the next meeting.

#### Section 40-19-20 (12)

Adds ...but not limited to caskets, urns, burial clothing, and cremation caskets.

Mr. Avinger moved the board approve the changes to Section 40-19-20 (12) of the proposed bill. Mr. Thornwell seconded the motion, which carried unanimously.

Section 40-19-20 (19)

Takes out the word "only".

Mr. Avinger moved the board approve the change to Section 40-19-20 (19). The motion was seconded by Mr. Thornwell and unanimously carried.

Section 40-19-270 (B)

Takes out the word "chapel".

Mr. Thornwell moved the board accept the change to Section 40-19-270 (B). Mr. Hampton seconded the motion, which unanimously carried.

Section 40-19-290

Adds Section (E) to read:

All payments received by any establishment licensed in this chapter for funeral merchandise purchased must be placed in a trust account in a federally insured institution until delivered.

Following some discussion regarding whether or not this is a board of financial institutional issue and preneed contracts, Mr. Caulder moved the board accept the change to Section 40-19-290 by adding subsection (E). Mr. Parks seconded the motion, which carried unanimously.

A brief discussion regarding Section 40-19-235, regarding reciprocity, ensued.

Ms. Goldstein stated that Senator Alexander introduced the board's version of the bill to the Senate prior to Representative Sandifer's meetings regarding these changes.

A brief discussion regarding the removal of Section 40-19-290(E) regarding the performance bond followed.

The board asked that Section 40-19-265(C)(4) be added to the agenda for the February 21, 2001 meeting.

Adjournment

Mr. Caulder moved the meeting be adjourned. Mr. Hampton seconded the motion, which carried unanimously. The February 6, 2001 conference call meeting adjourned at 9:52 a.m.