

74-1709. State board of embalming abolished; powers, duties, functions and property transferred to state board of mortuary arts; rules and regulations preserved. (a) On July 1, 1985, the state board of embalming is hereby abolished.

(b) All of the powers, duties and functions of the state board of embalming are hereby transferred to and conferred and imposed upon the state board of mortuary arts.

(c) The state board of mortuary arts shall be the successor in every way to the powers, duties and functions of the state board of embalming in which the same were vested prior to July 1, 1985, except as otherwise provided in this act. Every act performed in the exercise of such powers, duties and functions by or under the authority of the state board of mortuary arts shall be deemed to have the same force and effect as if performed by the state board of embalming in which the same were vested prior to July 1, 1985.

(d) Whenever the state board of embalming, or words of like effect, is referred to or designated by a statute, contract or other document, such reference or designation shall be deemed to apply to the state board of mortuary arts established under this act.

(e) All rules and regulations of the state board of embalming shall continue to be effective and shall be deemed to be the duly adopted rules and regulations of the state board of mortuary arts until revised, amended, revoked or nullified pursuant to law.

(f) All books, records and other property of the state board of embalming are hereby transferred to the state board of mortuary arts on July 1, 1985.

(g) Whenever any conflict arises as to the proper disposition of any property or records as a result of any abolishment or transfer made under this act, or under authority of this act, such conflict shall be resolved by the governor, and the decision of the governor shall be final.

(h) The state board of mortuary arts shall be a continuation of the state board of embalming.

History: L. 1985, ch. 215, § 19; July 1.