

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 930

Short Title: Abolish Burial Commission.

(Public)

Sponsors: Senator Martin of Pitt.

Referred to: Commerce.

April 17, 1997

A BILL TO BE ENTITLED

**AN ACT TO ABOLISH THE MUTUAL BURIAL ASSOCIATION COMMISSION
AND TO TRANSFER ITS DUTIES TO THE BOARD OF MORTUARY SCIENCE.**

Whereas, mutual burial associations no longer provide an adequate funeral benefit for their members, considering the current cost of funerals, and have largely fulfilled their function; and

Whereas, many mutual burial associations have merged with or sold their assets to insurance companies, and others contemplate doing so; and

Whereas, a number of the remaining associations are not financially sound and have little likelihood of becoming so; and

Whereas, the number of associations remaining after all mergers are accomplished will be inadequate, in all likelihood, to support the activities of the Mutual Burial Association Commission; and

Whereas, as it is appropriate to provide for the merger or dissolution of associations which are not financially sound, to transfer the duties and responsibilities of the Commission for any remaining associations to the Board of Mortuary Science, and to abolish the Commission; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Effective January 1, 1998, the authority, powers, duties, and functions vested in the North Carolina Mutual Burial Association Commission and in the

1 Burial Association Administrator by Part 13 of Article 10 of Chapter 143B of the General
2 Statutes are transferred to the North Carolina Board of Mortuary Science, created by
3 Article 13A of Chapter 90 of the General Statutes, and the North Carolina Mutual Burial
4 Association Commission is abolished. All records, property, and unexpended balances of
5 funds of the North Carolina Mutual Burial Association Commission and the Burial
6 Association Administrator are transferred in their entirety to the Board of Mortuary
7 Science. On and after January 1, 1998, the Board of Mortuary Science shall be
8 responsible for the administration of Part 13 of Article 10 of Chapter 143B of the General
9 Statutes.

10 Section 2. Effective January 1, 1998, G.S. 143B-472 and G.S. 143B-472.1 are
11 repealed.

12 Section 3. Effective January 1, 1998, G.S. 143B-472.2 reads as rewritten:

13 "**§ 143B-472.2. Duties of Commission; ~~Board; meetings; meetings.~~ Burial**
14 **~~Administrator; secretary.~~**

15 It shall be the duty of the ~~North Carolina Mutual Burial Association Commission~~ North
16 Carolina Board of Mortuary Science to supervise, pursuant to this Article, all burial
17 associations authorized by this Article to operate in North Carolina, to determine that
18 such associations are operated in conformity with this Article and the rules ~~and regulations~~
19 adopted pursuant to this Article; to assist the Burial Association Administrator with
20 prosecution of violations of this Article or rules ~~and regulations~~ adopted pursuant thereto;
21 ~~to counsel with and advise the Burial Association Administrator in the performance of his duties~~
22 and to protect the interest of members of mutual burial associations.

23 ~~The North Carolina Mutual Burial Association Commission,~~ The North Carolina Board of
24 Mortuary Science, after a public hearing, may promulgate reasonable rules and
25 regulations for the enforcement of this Article and in order to carry out the intent thereof.
26 The ~~Commission~~ Board is authorized and directed to adopt specific rules ~~and regulations~~ to
27 provide for the orderly transfer of a member's benefits in cash or merchandise and
28 services from the funeral director sponsoring the member's association to the funeral
29 establishment which furnishes a funeral service, or merchandise, or both, for the burial of
30 the member, provided that any funeral establishment to which the member's benefits are
31 transferred in accordance with such rules ~~and regulations~~ shall, if located in North
32 Carolina, be a funeral establishment registered and permitted under the provisions of ~~G.S.~~
33 ~~90-210.17~~ G.S. 90-210.25 or shall, if located in any other state, territory or foreign
34 country, be a funeral establishment recognized by and operating in conformity with the
35 laws of such other state, territory or foreign country. One or more burial associations
36 operating in North Carolina may merge into another burial association operating in North
37 Carolina and two or more burial associations operating in North Carolina may
38 consolidate into a new burial association provided that any such plan of merger or plan of
39 consolidation shall be adopted and carried out in accordance with rules ~~and regulations~~
40 adopted by the ~~Commission~~ Board pursuant to this Article.

41 All rules ~~and regulations~~ heretofore adopted by the Burial Association Administrator or
42 the Mutual Burial Association Commission in accordance with prior law and which have
43 not been amended, rescinded, revoked or otherwise changed, or which have not been

1 nullified or made inoperative or unenforceable because of any statute enacted after the
2 adoption of any such rule, shall remain in full force and effect until amended, rescinded,
3 revoked or otherwise changed by action of the ~~Burial Association Commission~~ North
4 Carolina Board of Mortuary Science as set out above, or until nullified or made
5 inoperative or unenforceable because of statutory enactment or court decision.

6 ~~The Commission shall elect its own chairman, who shall vote only when the~~
7 ~~Commission is evenly divided.~~

8 ~~The Commission shall hold regular meetings at least twice each year, and more often~~
9 ~~if called by the chairman in Raleigh, or such place in North Carolina as the chairman may~~
10 ~~direct. Special meetings of the Commission may also be called in Raleigh or such other~~
11 ~~place in North Carolina as they may direct, by a majority of the Commission.~~

12 ~~The Burial Association Administrator shall serve as secretary of the Commission and~~
13 ~~shall keep minutes of all regular and special meetings.~~

14 ~~All regular or special meetings of the Commission, unless a majority of the members~~
15 ~~of the Commission vote otherwise, shall be open to the public. All regular meetings shall~~
16 ~~be advertised in at least three newspapers having intercounty circulation in North~~
17 ~~Carolina.~~

18 ~~Members of the Commission~~ Board shall receive, when attending such regular or
19 special meetings such per diem, expense allowance and travel allowance as are allowed
20 other commissions and boards of the State. The legal adviser to the ~~Commission~~ Board
21 shall be entitled to actual expenses when attending regular or special meetings of the
22 ~~Commission~~ Board held other than in Raleigh. All expenses of the ~~Commission~~ Board
23 shall be paid from funds coming to the ~~Administrator~~ Board pursuant to this ~~Article.~~
24 Article or appropriated for this purpose."

25 Section 4. G.S. 143B-472.3 reads as rewritten:
26 **"§ 143B-472.3. Requirements as to rules and bylaws.**

27 All burial associations now operating within the State of North ~~Carolina, and all burial~~
28 ~~associations hereafter organized and operating within the State of North Carolina~~ Carolina shall
29 have and maintain rules and bylaws embodying the following:

30 Article 1. The name of this association shall be, which shall indicate that said
31 association is a mutual burial association.

32 Article 2. The objects and purposes for which this association is formed and the
33 purposes for which it has been organized, and the methods and plan of operation of this
34 association shall be to provide a plan for each member of this association for the payment
35 of one funeral benefit for each member, which shall consist of a funeral benefit in cash or
36 merchandise and service, with no free embalming or free ambulance service included in
37 this benefit. No other free service or any other thing free shall be held out, promised or
38 furnished, in any case. Such funeral benefit shall be in the amount of one hundred dollars
39 (\$100.00) of cash or merchandise and service, without free embalming or free ambulance
40 service, for persons of the age of 10 years and over, or in the amount of fifty dollars
41 (\$50.00) for persons under the age of 10 years; provided, however, that any member of
42 this association of the age of 10 years or more may purchase a double benefit (for a total
43 benefit of two hundred dollars (\$200.00)), and provided further, however, that any

1 member of this association under the age of 10 years may purchase a double benefit (for a
2 total benefit of one hundred dollars (\$100.00)) or a quadruple benefit (for a total benefit
3 of two hundred dollars (\$200.00)); however, any additional benefit (as set out herein)
4 shall be based on the assessment rate, as provided in Article 6 of this section, at the
5 attained age of applicant at the time the additional benefit takes effect. The purchase of
6 an additional benefit shall not be available to any member who cannot fulfill the
7 requirements as set forth in Article 3 of this section.

8 Provided, further, that mutual burial associations organized and operating pursuant to
9 this Article may offer for sale to its members in good standing, funeral benefits payable
10 only in cash in excess of two hundred dollars (\$200.00), but those sales shall be subject to
11 all applicable insurance laws of this State and shall in no manner be subject to the
12 provisions of this Article or impair whatsoever funds heretofore or hereafter collected and
13 held by that Association pursuant to this Article. All mutual burial association policies
14 heretofore or hereafter sold in this State in an amount of two hundred dollars (\$200.00) or
15 less shall continue to be administered by the Burial Association Administrator and shall
16 be subject to all provisions of this Article.

17 Article 3. Any person who has passed his or her first birthday, and who has not
18 passed his or her sixty-fifth birthday, and who is in good health and not under treatment
19 of any physician, nor confined in any institution for the treatment of mental or other
20 disease, may become a member of this burial association by the payment by such person,
21 or for such person, of a membership fee in accordance with the provisions of this Article
22 and the first assessment due on the membership issued for such member in accordance
23 with the provisions of Article 6 herein. The membership fee for any person joining prior
24 to July 1, 1975, is twenty-five cents (25¢). The membership fee of any person joining
25 after July 1, 1975, is twenty-five cents (25¢) for each one hundred dollars (\$100.00) of
26 benefits provided in such membership, with a minimum membership fee of twenty-five
27 cents (25¢). The payment of the membership fee, without the payment of the first
28 quarterly assessment due on the membership, shall not authorize the issuance of a
29 certificate of membership in this burial association, and a certificate of membership for
30 such person shall not be issued until the first such assessment is paid. Any member of
31 this association joining after July 1, 1975, and who shall thereafter purchase an increased
32 benefit shall pay an additional membership fee in accordance with this Article so that the
33 total membership fee paid by such person shall equal twenty-five [cents] (25¢) for each
34 one hundred dollars (\$100.00) of benefits in such member's membership; provided, that
35 any member with a fifty-dollar (\$50.00) benefit who increases his benefit from fifty
36 dollars (\$50.00) to one hundred dollars (\$100.00) shall not be required to pay any
37 additional membership fee. The payment of any additional membership fee, without the
38 payment of the first additional assessment due for the increased benefit, shall not make
39 such member eligible for any additional benefit, and such member shall not be eligible
40 for any additional benefit until the first such additional assessment due for such
41 additional benefit is paid. Notwithstanding the foregoing, the provisions of the last
42 paragraph of Article 6, hereinafter set out, shall control the increase of benefits from fifty
43 dollars (\$50.00) to one hundred dollars (\$100.00) for any member of this association

1 joining under the age of 10 whose benefits in force upon such member attaining his or her
2 tenth birthday are in the amount of fifty dollars (\$50.00).

3 Applicant's birthday must be written in the application and subject to verification by
4 any record the Burial Association Administrator may deem necessary to prove or
5 establish a true date of the birth of any applicant.

6 Article 4. The annual meeting of the association shall be held at (here insert the
7 place, date and hour); each member shall have one vote at said annual meeting and 15
8 members of the association shall constitute a quorum. There shall be elected at the
9 annual meeting of said association a board of directors of seven members, each of whom
10 shall serve for a period of from one to five years as the membership may determine and
11 until his or her successor shall have been elected and qualified. Any member of the
12 board of directors who shall fail to maintain his or her membership, as provided in the
13 rules and bylaws of said association, shall cease to be a member of the board of directors
14 and a director shall be appointed by the president of said association for the unexpired
15 term of such disqualified member. There shall be at least an annual meeting of the board
16 of directors, and such meeting shall be held immediately following the annual meeting of
17 the membership of the association. The directors of the association may, by a majority
18 vote, hold other meetings of which notice shall be given to each member by mailing such
19 notice five days before the meeting to be held. At the annual meetings of the directors of
20 the association, the board of directors shall elect a president, a vice-president, and a
21 secretary-treasurer. The president and vice-president shall be elected from among the
22 directors, but the secretary-treasurer may be selected from the director membership or
23 from the membership of the association, it being provided that it is not necessary that the
24 secretary-treasurer shall be a member of the board of directors. Among other duties that
25 the secretary-treasurer may perform, he shall be chargeable with keeping an accurate and
26 faithful roll of the membership of this association at all times and he shall be chargeable
27 with the duty of faithfully preserving and faithfully applying all moneys coming into his
28 hands by virtue of his said office. The president, vice-president and secretary-treasurer
29 shall constitute a board of control who shall direct the affairs of the association in
30 accordance with these Articles and bylaws of the association, and subject to such
31 modification as may be made or authorized by an act of the General Assembly. The
32 secretary-treasurer shall keep a record of all assessments made, dues collected and
33 benefits paid. The books of the association, together with all records and bank accounts
34 shall be at all times open to the inspection of the Burial Association Administrator or his
35 duly constituted auditors or representatives. It shall be the duty of the secretary or
36 secretary-treasurer of each association to keep the books of the association posted up-to-
37 date so that the financial standing of the association may be readily ascertained by the
38 Burial Association Administrator or any auditor or representative employed by him.
39 Upon the failure of any secretary or secretary-treasurer to comply with this provision, it
40 shall be the duty of the Burial Association Administrator to take charge of the books of
41 the association and do whatever work is necessary to bring the books up-to-date. The
42 actual costs of said work may be charged the burial association and shall be paid from the
43 thirty percent (30%) allowed by law for the operation of the burial association.

1 Whenever in the opinion of the Burial Association Administrator, it is necessary to
 2 audit the books of any burial association more than once in any calendar year, the Burial
 3 Association Commission shall have authority to assess such burial association the actual
 4 cost of any audit in excess of one per calendar year, provided that no more than one audit
 5 may be deemed necessary unless a discrepancy exists at the last regular audit. Such cost
 6 shall be paid from the thirty percent (30%) allowed by law for the operation of the burial
 7 association.

8 Every burial association shall file with the North Carolina Mutual Burial Association
 9 Commission an annual report of its financial condition on a form furnished to it by the
 10 North Carolina Burial Association Administrator. Such report shall be filed on or before
 11 February 15 of each calendar year and shall cover the complete financial condition of the
 12 burial association for the immediate preceding calendar year. The Burial Association
 13 Commission shall levy and collect a penalty of twenty-five dollars (\$25.00) for each day
 14 after February 15 that the report called for herein is not filed. The Commission may, in
 15 its discretion, grant any reasonable extension of the above filing date without the penalty
 16 provided in this section. Such penalty shall be paid from the thirty percent (30%)
 17 allowed by law for the operation of the burial association. Any secretary or secretary-
 18 treasurer who fails to file such financial report on or before February 15 of each calendar
 19 year or on or before the last day of any period of extension for the filing of such report
 20 granted by the Commission to the burial association of such secretary or secretary-
 21 treasurer shall be guilty of a Class 3 misdemeanor. Each day after February 15, or the
 22 last day of any period of extension for the filing of the report granted by the Commission
 23 to the burial association of such secretary or secretary-treasurer, that said report is not
 24 filed by the secretary or secretary-treasurer of a burial association, shall constitute a
 25 separate offense.

26 Article 5. Upon the death of any officer, his successor shall be elected by the board of
 27 directors for the unexpired term. The president, vice-president and secretary-treasurer
 28 shall be elected for a term of from one to five years, and shall hold office until his
 29 successor is elected and qualified, subject to the power of the board of directors to
 30 remove any officer for good cause shown; provided, that any officer removed by the
 31 board of directors shall have the right of appeal to the membership of the association,
 32 such appeal to be heard at the next ensuing annual meeting of said membership.

33 Article 6. Each member shall be assessed according to the following schedule for the
 34 benefit indicated (or in multiples thereof for additional benefit) at the age of entry of the
 35 member.

ASSESSMENT RATE FOR AGE GROUPS:

37 First to tenth birthday	
38 (\$50.00) benefit	five cents (5¢)
39 Tenth to thirtieth birthday	
40 (\$100.00) benefit	ten cents (10¢)
41 Thirtieth to fiftieth birthday	
42 (\$100.00) benefit	twenty cents (20¢)
43 Fiftieth to sixty-fifth birthday	

1 (\$100.00) benefit thirty cents (30¢)

2 (Ages shall be defined as having passed a certain birthday instead of nearest birthday.)

3 Assessment shall always be made on the entire membership in good standing.

4 Any member joining under the age of 10 shall, upon attaining his or her tenth
5 birthday, pay thereafter the assessment for a member age 10 as set out above.

6 Any member joining under the age of 10 whose benefits in force upon such member
7 attaining his or her tenth birthday are in the amount of fifty dollars (\$50.00) shall, if such
8 member is in good standing upon attaining his or her tenth birthday, thereafter have
9 benefits in force in the amount of one hundred dollars (\$100.00) without the necessity of
10 making application for such increased benefit. Assessments made thereafter for such
11 member shall be the same as an assessment for a member age 10 as set out above. Such
12 one-hundred-dollar (\$100.00) benefit shall be in full force and effect for any such
13 member in good standing immediately upon such member attaining his or her tenth
14 birthday even though the increased assessment provided for herein shall not yet be due
15 and payable, it being the intent of this Article that, notwithstanding any other provisions
16 in these Articles, any member in good standing with a fifty-dollar (\$50.00) benefit shall
17 immediately upon attainment of his or her tenth birthday have a one-hundred-dollar
18 (\$100.00) benefit in force whether or not the increased assessment is then due and
19 payable by such member in accordance with the assessment period of this association.

20 Article 7. No benefit will be paid for natural death occurring within 30 days from the
21 date of the certificate of membership, which certificate shall express the true date such
22 person becomes a member of this association, and the certificate issued shall be in
23 acknowledgment of membership in this association. Benefits will be paid for death
24 caused by accidental means occurring any time after date of membership certificate. No
25 benefits will be paid in case of suicidal death of any member within one year from the
26 date of the membership certificate. No agent or other person shall have authority to issue
27 membership certificates in the field, but such membership certificates shall be issued at
28 the home office of the association by duly authorized officers: the president, vice-
29 president or secretary, and a record thereof duly made.

30 Article 8. Any member failing to pay any assessment within 30 days after notice shall
31 be in bad standing, and unless and until restored, shall not be entitled to benefits. Notice
32 shall be presumed duly given when mailed, postage paid, to the last known address of
33 such members: Provided, moreover, that notice to the head of a family shall be construed
34 as notice to the entire membership of such family in said association. Any member or
35 head of a family changing his or her address shall give notice to the secretary-treasurer in
36 writing of such change, giving the old address as well as the new, and the head of a
37 family notifying the secretary-treasurer of change in address shall list with the secretary
38 in such notice all the members of his or her family having membership in said
39 association. Any member in bad standing may, within 90 days after the date of an
40 assessment notice, be reinstated to good standing by the payment of all delinquent dues
41 and assessments: Provided such person shall at the same time submit to the secretary-
42 treasurer satisfactory evidence of good health, in writing, and no benefit will be paid for
43 natural death occurring within 30 days after reinstatement. In case of death caused by

1 accidental means, benefit will be in force immediately after reinstatement. Any person
2 desiring to discontinue his membership for any reason shall communicate such desire to
3 the secretary-treasurer immediately and surrender his or her certificate of membership.
4 Any adult member who is the head of a family and who, with his family, has become in
5 bad standing, shall furnish to the secretary-treasurer satisfactory evidence of the good
6 health of each member desired to be reinstated in writing.

7 Article 9. The benefits herein provided are for the purpose of furnishing a funeral and
8 burial benefit, in cash or merchandise and service, for a deceased member. The funeral
9 and burial benefit, if furnished in merchandise and service, shall be in keeping with and
10 similar to the merchandise and service sold and furnished at the same price by reputable
11 funeral directors of this or other like communities.

12 Article 10. It is understood and stipulated that the benefits provided for shall be
13 payable only to a funeral establishment which provides a funeral service for a deceased
14 member and which, if located in North Carolina, is a funeral establishment registered
15 under the provisions of G.S. 90-210.17 or which, if located in any other state, territory or
16 foreign country, is a funeral establishment recognized by and operating in conformity
17 with the laws of such other state, territory or foreign country. Upon the death of any
18 member, it shall be the duty of the person or persons making the funeral arrangements for
19 such deceased member to notify the secretary of the member's burial association of the
20 death of such member. The person or persons making the funeral arrangements for such
21 deceased member shall have 30 days from the date of the death of such member in which
22 to make demand upon the burial association for the funeral benefits to which such
23 member is entitled.

24 The benefits provided for are to be paid by the burial association to the funeral
25 director providing such funeral and burial service either in cash or in merchandise and
26 service as elected by the person or persons making the funeral arrangements for such
27 deceased member. If the burial association shall fail, on demand, to provide the benefits
28 to which the deceased member was entitled to the funeral establishment which provided
29 the funeral service for the deceased member, then the benefits shall be paid in cash to the
30 representative of the deceased member qualified under law to receive such benefits.

31 Article 11. Assessments shall be made as provided in G.S. 143B-472.18. Whenever
32 possible, assessments will be made at definitely stated intervals so as to reduce the cost of
33 collection and to prevent lapse.

34 Article 12. In the event the proceeds of the annual assessments imposed on the entire
35 membership for one year, as provided in G.S. 143B-472.18, do not prove sufficient at any
36 time to yield the benefit provided for in these bylaws, then the secretary-treasurer shall
37 notify the North Carolina Burial Association Administrator who shall be authorized,
38 unless the membership is increased to that point where such assessments are sufficient, to
39 cause liquidation of said association, and may transfer all members in good standing to a
40 like organization or association.

41 Article 13. (a) All legitimate operating expenses of the association shall be paid out
42 of the assessments, but in no case shall the entire expenses exceed thirty percent (30%) of

1 the total of the assessments collected and the investment income of the burial association
2 in one calendar year.

3 (b) Each burial association shall establish and maintain a reserve account for the
4 payment of member's benefits. On the thirty-first day of December following July 1,
5 1975, each burial association shall transfer to such burial association's reserve account
6 established in accordance with this Article all funds which such burial association is
7 maintaining on that date in an account designated by such burial association as either a
8 surplus account or a reserve account. Thereafter, beginning on January 1, 1976, each
9 burial association shall place in such reserve account five percent (5%) of the
10 assessments collected from and after that date and five percent (5%) of the investment
11 income of the association earned from and after that date. These sums shall continue to
12 be placed in the association's reserve account until the association's reserve account shall
13 equal twenty-one dollars (\$21.00) per member. Thereafter if the reserve account shall
14 fall below twenty-one dollars (\$21.00) per member, such sums shall again be deposited in
15 the account until such time as the reserve account shall again be equal to twenty-one
16 dollars (\$21.00) per member. If the reserve account shall at any time exceed twenty-one
17 dollars (\$21.00) per member, amounts in excess of twenty-one dollars (\$21.00) per
18 member may be withdrawn from the reserve account.

19 Article 14. Special meetings of the association membership may be called by the
20 secretary-treasurer when by him deemed necessary or advisable, and he shall call a
21 meeting when petitioned to do so by sixty-six and two-thirds percent (66 2/3%) of the
22 members of said association who are in good standing.

23 Article 15. The secretary-treasurer shall, upon satisfactory evidence that membership
24 was granted to any person not qualified at the time of entry as provided under Article 3 of
25 these bylaws, refund any amounts paid as assessment, and shall remove the name from
26 the membership roll.

27 Article 16. Any member may pay any number of assessments in advance, in which
28 case such member will not be further assessed until a like number of assessments shall
29 have been levied against the remaining membership.

30 Article 17. No person may maintain active membership in two or more separate
31 burial associations. Any person who is found to have membership in two or more
32 separate burial associations shall forfeit all benefits and fees paid in all associations of
33 which he is a member except in the association which he first joined and of which he is
34 still then a member. A person is not a member of an association for purposes of this
35 Article if he has discontinued his membership in such association or if such association
36 has been placed in liquidation.

37 Article 18. Each year, before the annual meeting of the membership of this
38 association, the association shall cause to be published in a newspaper of general
39 circulation in the county in which such association has its principal place of business, or
40 shall cause to be mailed to each member in good standing a statement showing total
41 income collected, expenses paid and burial benefits provided for by such association
42 during the next preceding year.

1 Article 19. These rules and bylaws shall not be modified, canceled or abridged by
2 any association or other authority except by act of the General Assembly of North
3 Carolina."

4 Section 5. Effective January 1, 1998, the phrases "North Carolina Mutual
5 Burial Association Commission", "Mutual Burial Association Commission", and "Burial
6 Association Administrator"are deleted and then replaced by the phrase "Board of
7 Mortuary Science"wherever they occur in Part 13 of Article 10 of Chapter 145B of the
8 General Statutes. The words "Commission"and "Administrator"are deleted and then
9 replaced by the word "Board"wherever they occur in Part 13 of Article 10 of Chapter
10 145B of the General Statutes.

11 Section 6. Effective January 1, 1998, the pronouns "he" and "his", when
12 referring to the Burial Association Administrator, are deleted wherever they occur in Part
13 13 of Article 10 of Chapter 143B of the General Statutes and are replaced, respectively,
14 by the pronouns "it" and "its".

15 Section 7. (a) Effective January 1, 1998, references in the Session Laws to the
16 North Carolina Mutual Burial Association Commission or the Burial Association
17 Administrator shall be deemed to refer to the Board of Mortuary Science. Every Session
18 Law that refers to the North Carolina Mutual Burial Association Commission or the
19 Burial Association Administrator and that relates to any power, duty, function, or
20 obligation of the Commission or the Administrator that continues in effect after the
21 provisions of this act become effective shall be construed in a manner consistent with this
22 act.

23 (b) The Revisor of Statutes may, on and after the effective date of this act, correct
24 any reference or citation in the General Statutes that is amended by this act by deleting
25 incorrect references and substituting correct references.

26 (c) The Revisor of Statutes may, on and after the first day of January 1998, delete
27 any reference to the North Carolina Mutual Burial Association Commission or to the
28 Burial Association Administrator in any portion of the General Statutes to which
29 conforming amendments are not made by this act and substitute, as appropriate and
30 consistent with this act, any of the following terms: North Carolina Board of Mortuary
31 Science, Board of Mortuary Science, or Board.

32 Section 8. Every act of the North Carolina Mutual Burial Association
33 Commission and the Burial Association Administrator that occurred prior to the date this
34 act becomes law or to the date that provisions of this act become effective, and which is
35 otherwise valid, continues to be valid and effective, notwithstanding any change in name
36 or transfer of authority, powers, duties, and functions by this act.

37 Section 9. This act is effective when it becomes law.