



BY-LAWS

ARTICLE INAME

Section 1. The name of the Association shall be “Idaho Funeral Service Association.”

ARTICLE II PURPOSE

Section 1. The purposes for which said Association is formed are as follows:

A. To engage in education endeavors of all description and kind in the furtherance of the business of funeral service, and to protect the general public with regard to the services provided by or rendered by a funeral establishment, mortician, funeral director resident trainee, or other persons related to or having connection with funeral services, and to promote the education of the general public; and,

B. To cultivate and promote the art and science of funeral service in the State of Idaho to elevate and sustain the professional character and education of those engaged in funeral service; to encourage among them mutual improvements, and good will; to enlighten and direct public opinion in relation to the advantages for enacting and enforcing proper, just and uniform laws on funeral directing, embalming and other related funeral services; to represent, have cognizance of and safeguard the common interests of its members, as well as those of our patrons, and to foster and maintain among members high professional standards of public service.

ARTICLE IIIMEMBERSHIP

Section 1. Any individual, partnership, association or corporation conducting business as a funeral director or funeral establishment in the State of Idaho, under the laws of said State, shall be eligible for membership. Such individual, partnership, association, or corporation shall be fully equipped to conduct said funeral service business and shall agree to be bound by the By-Laws of the Idaho Funeral Service Association and the National Funeral Directors Association.

Section 2. Membership in this Association shall consist of four classifications, namely, Firm Memberships, Associate Firm Memberships, Associate Allied Industry Memberships and Honorary Memberships by invitation and/or resolution.

Section 3. Firm Memberships. Firms eligible for membership are those firms who are licensed to operate in the State of Idaho and who are actually engaged in the mortuary profession, or engaged in funeral services, in the State of Idaho. Such firm shall be entitled to one vote upon any Association business, and only one member of such firm shall be entitled to hold state elective office in this Association at any single time. Such firm shall notify the Association, on a form provided for that purpose, of the names of the firm members eligible to hold the voting privilege, at the beginning of each fiscal year. Applications for Firm Membership shall be made on a form furnished by the Association to the secretary of the Association, naming the representative of the firm, and shall contain the recommendation of at least one voting member of prescribed fee. The application of any firm eligible for membership shall be presented to the District to which he will be assigned at a regular meeting of the District by the Secretary of the Association. The application shall be read and held over for action at the next regular meeting of such district and upon approval by three fourths of all members of the District, said applicant will be affirmatively recommended to the Board of Trustees of the Association. The District chairman shall inform the Board of Trustees of the Association of the recommendation of the District. The applicant may become a member by a majority vote of the Board of Trustees.

Section 4. Associate Membership. Any person who is actively, openly, and lawfully affiliated with an active member in the practice of funeral service, either as a resident Trainee or licensed Mortician, shall be eligible for associate membership, and shall become an associate member, upon approval by a majority vote of the Board of Trustees; provided, however, that whenever the active member with whom the associate member is affiliate shall terminate his membership, either by suspension, expulsion or by voluntary resignation, the membership of the associate member shall automatically expire. Associate members may hold district office and serve on committee, but may not vote except as provided for in Section 3 of Article III above. Request for membership shall be made on the proper form as supplied by the Executive Secretary of the Association, and accompanied by the annual dues as specified in these By-Laws.

An applicant for membership having a funeral establishment in another state may apply for associate firm membership in the Association, provided that such applicant shall comply with the same procedures as an Idaho application for Firm Membership pursuant to Article III, Section 3, except that he need not be licensed in the State of Idaho. Every applicant for associate firm membership must be a member of good standing of his respective state association and must continue such membership throughout his period of associate firm membership in this Association. The holder of an associate firm membership pursuant to this paragraph shall not be entitled to vote nor hold elective office in this Association.

Section 5. Associate Allied Industry Membership. Any firm or group which is engaged in the supplying of material and/or services in connection with funeral service or mortuary service. Application for an allied industry associate membership shall be approved by the membership committee and must be approved by a majority vote of the Board of Trustees at any regular or special meeting of the Board of Trustees. Should the allied industry associate member discontinue or terminate his activity in funeral service or mortuary service, his membership shall expire automatically. Allied industry associate members may not vote in any Association proceedings or hold office in the Association. Request for membership shall be made in the proper form as prescribed by the Secretary of the Association and accompanied by the annual dues as specified in these By-Laws. No certificate of membership shall be issued to any holder of the associate allied industry membership provided by this section.

Section 6. Honorary Membership. Any person who has been an active member and was a member in good standing at the time of retirement, sale of business, or discontinuance of business, or any person who has rendered distinguished service to the Association or to the general good of funeral service throughout the state, may be eligible for honorary membership and shall become an honorary member upon recommendation by the Board of Trustees to the member at an annual meeting, and two-thirds affirmative vote of the active members present. Honorary members shall not be entitled to vote or hold office and shall not be assessed any dues to hold an honorary membership, but shall pay registration fees for meetings or conventions. Honorary members shall receive all publications and appropriate notices as provided by other regular members of the Association.

ARTICLE IV BOARD OF TRUSTEES

Section 1. The affairs of this Association shall be managed by a Board of Trustees, to be comprised of the President, First Vice-President, Second Vice-President, Immediate Past President, and five Trustees, who shall be elected at the regular annual meeting of such Association, one to serve for a period of five years, one for a period of four years, one for a period of three years, and one for a period of one year, and annually thereafter, one Trustee shall be elected for a period of five years. The board will also designate a sixth Trustee to serve as the Trustee at Large. This Trustee will be appointed by the board to serve a three year term.

Section 2. If any vacancy shall occur in the Board of Trustees, or in any other elective office, for any reason whatsoever such vacancy shall be temporarily filled by the vote of the remaining members of the Board of Trustees, such appointee to serve only until the next membership meeting, at which time the office shall be filled by election for the unexpired term.

Section 3. In addition to the powers and authorities by these By-Laws expressly conferred upon them, the Board of Trustees may exercise all such powers of the Association and do all such lawful acts required to be

exercised by the members. Without prejudice to the general powers conferred by the last preceding sentence or limiting such powers, and powers conferred by these By-Laws, it is hereby expressly declared that the Board of Trustees shall have the following powers:

A. From time to time promulgate, adopt and amend rules and regulation for the management of the Associations affairs;

B. To purchase or otherwise acquire for the Association any property which may be necessary or desirable to carry out the powers and duties of the Board and to accomplish the purpose of the Association;

C. To appoint, at their discretion, remove or suspend such subordinate officers, agents, or servants, permanently or temporarily, as they deem necessary, and to determine their duties, and to fix and from time to time change their salaries or emoluments, and to require security in such instances and in such amounts as they deem necessary;

D. From time to time determine whether or not any compensation shall be paid to any of the officers and to fix the amount thereof;

E. To determine who shall be authorized on behalf of the Association to sign bills, notes, receipts, acceptances, endorsements, checks, releases, contracts, and documents;

F. To appoint committees to carry out any of the lawful purposes of the Association; and,

G. To employ and executive secretary, who shall not be classified as an officer and who shall act as a general agent of the Association under the direction and supervision of the Board of Trustees.

Section 4. Trustees, as such, shall not receive any stated salary for their services, but shall be entitled to reimbursement for expenses of attendance at special meetings of the Board.

Section 5. Association business conducted pursuant to these By-Laws, and within the powers and duties conferred upon the Trustees, shall be upon the approval of a majority of such Trustees voting at any meeting of the said Trustees.

ARTICLE VOFFICERS

Section 1. The officers of this Association shall be President, First Vice-President, Second Vice-President, and such other officers as shall be determined by the Board of Trustees.

Section 2. The officers shall be elected by vote of the members at the annual meeting of the members and shall hold office for the term of one year and until their successors are elected and qualified.

Section 3. President. The President shall preside at all meetings of the Association and all meeting of the Board of Trustees and shall be an ex-officio member of all committees and shall be held responsible for the conduct of all of the activities of the Association, and at the annual meeting, he shall render a report relative shall have such other duties as may be assigned to him from time to time by the Board of Trustees.

Section 4. First Vice-President. The First Vice-President shall possess all of the powers and perform all the duties of President, in the event of the death, absence, disability, or refusal to act of that officer, and shall have such other duties as may be assigned to him from time to time by the Board of Trustees.

Section 5. Second Vice-President. The Second Vice-President shall possess all of the powers and perform all the duties of the First Vice-President, in the event of death, absence, disability or refusal to act of that officer, and shall have such other duties as may be assigned to him from time to time by the Board of Trustees.

Section 6. The President, First Vice-President, and Executive Secretary of the Idaho Funeral Service Association shall be the official delegates to the NFDA annual meeting, the President serving as Chairman

of said delegation. Said delegates attending the annual NFDA convention shall be entitled to reimbursement for such actual and necessary expenses and in such amounts as the Board of Trustees may determine. In the event that special meetings of the NFDA are scheduled which require the attendance of a delegate or delegates from the Idaho Funeral Service Association, the Board of Trustees shall determine which delegate or delegates shall attend and what reimbursement of actual and necessary expenses shall be allowed.

ARTICLE VI. MEETINGS

Section 1. The place and date of the annual meeting of the membership of this Association shall be fixed by the Board of Trustees.

Section 2. Special meetings shall be held on the call of the President or upon the written request of twenty-five (25) firm members, or upon the call of a majority of the Board of Trustees.

Section 3. When one-third of the firm members are present at any regular or special meeting, they shall constitute a quorum for the transaction of business.

Section 4. Written or printed notice of all meeting shall be mailed by the Secretary to each member least ten (10) days prior to such meeting.

Section 5. The geographical districts of the Association shall be five (5) in number and shall be comprised as follows:

The Counties of Boundary, Bonner, Kootenai, Benewah and Shoshone shall comprise the **Coeur d’Alene District**.

The Counties of Latah, Lewiston, Lewis, Idaho and Clearwater shall comprise the **Lewis & Clark District**.

The Counties of Adams, Washington, Payette, Gem, Canyon, Ada, Owyhee, Elmore, Boise and Valley shall comprise the **Treasure Valley District**.

The Counties of Custer, Blaine, Camas, Gooding, Lincoln, Jerome, Twin Falls, Cassia, and Minidoka shall comprise the **South Central District**.

The Counties of Lemhi, Butte, Clark, Jefferson, Bingham, Power, Oneida, Bannock, Franklin, Bear Lake, Caribou, Bonneville, Madison, Teton and Fremont shall comprise the **Eastern District**.

Each district shall elect such officers as it deems necessary. The presiding officer of each district shall call a minimum of two district meetings each year, on at least thirty (30) days prior to the annual meeting at of the Association for the election of officers for the coming year, and the second to be called at the convenience of the Association President for his annual visit. Each member firm must be represented by its duly authorized representative as provided by Article III, Section 3, of these By-Laws.

ARTICLE VII VOTING

Section 1. Each member firm shall be entitled to one vote only, regardless of the number of persons from that firm attending a meeting, and no member can acquire any interest which will entitle him or it to any greater voice, vote, authority or interest in the Association than any other member. Voting by proxy shall not be permitted.

Section 2. A branch funeral home shall not be considered as a member firm or entitled to vote unless such a branch has been accepted into membership as a separate entity by the Board of Trustees of the Association.

ARTICLE VIII EXPULSION OF MEMBER

Section 1. Upon termination of any membership by expulsion or otherwise, the former member shall have no interest in any of the property of the Association and shall not be entitled to a return of any portion of any prepaid dues or fees.

Section 2. Any member who shall be convicted of a crime involving moral turpitude or who shall be found guilty of any violation of the laws of the State of Idaho, or any amendment thereto, or who shall be found guilty of any violation of any rule or regulation promulgated thereunder or any Code of Ethics as adopted by this Association, or which may; hereafter be adopted, on proof thereof, may be suspended or expelled from the Association.

Section 3. The Board of Trustees jointly with the elective officers of the Association are empowered and authorized, upon the filing of a complaint or complaints, in writing, against any member of the Association accusing him of any offense of this Article, to investigate the same and, in their discretion, after such investigation and after due and timely written notice to the accused, hold a hearing and summon witnesses to attend and give testimony and, after a fair and impartial hearing, with full opportunity for the person against whom the complaint is filed to be heard and defend himself, may, in their discretion, if such member so accused is found guilty of the charges filed against him have at least a two-thirds role of the members of such joint-membership of Trustees and Officers constituting a special board, suspend or expel such member so accused from membership in the Association.

Section 4. Non-payment of any payment required to be made by these By-Laws, more than twelve (12) calendar months after the same becomes due, shall automatically terminate the defaulting membership.

ARTICLE IX REINSTATEMENT OF MEMBERS

Section 1. Any member terminated upon membership pursuant to Article VIII, Section 4 of these By-Laws, shall only be reinstated upon the payment of all delinquent dues due and owing, plus the fee of one-half of the yearly dues previously paid by such delinquent member, and shall make application to the Association as provided for in Article III of these By-Laws.

ARTICLE X FINANCES

Section 1. Firm membership applications shall be accompanied by an application fee in the amount of \$50.00 and no application will be considered unless accompanied by such application fee.

Section 2. Associate membership applicants shall be accompanied by recommendation of parent firm and no application shall be considered unless accompanied by such recommendation.

Section 3. Associate Allied Industry membership shall be accompanied by an application fee in the amount of \$20.00 and no application will be considered unless accompanied by such application fee.

Section 4. Annual dues for membership in the Association shall be as follows:

- A.** Firm Membership: Each firm member shall pay annual dues of \$6.00 per death certificate filed by firm members plus \$100.00. Said dues shall be due and payable to the Idaho Funeral Service Association quarterly.
- B.** Associate Firm Membership: The annual dues for Association Firm Membership shall be \$25.00 per year and such dues must be paid on or before June 1, of each year.
- C.** Associate Allied Industry Membership: The annual dues for allied industry associate membership shall be \$150.00 per year, and such dues must be paid on or before June 1, of each and every year.
- D.** Honorary Membership: There shall be no annual dues for honorary membership in this Association.

Section 5. All funds of the Association shall be deposited in such bank or trust company as the Board of Trustees may from time to time designate, and shall be drawn out only by check signed and countersigned as shall be determined by appropriate resolution of the Board of Trustees.

ARTICLE XI BOOKS AND RECORDS

Section 1. The books, accounts and records of the Association, except as may be otherwise required by the laws of the State of Idaho, may be kept at such place or places as the Board of Trustees may from time to time may designate.

ARTICLE XII AMENDMENTS

Section 1. Any and all provisions of the By-Laws may be altered, amended, or repealed, and new By-Laws may be amended by a majority vote of the membership of the Association at a regular or special meeting where such contemplated action has been announced in the notice of such meeting, or by written consent of more than two-thirds (2/3) of the entire firm membership of this Association.