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HOUSE BILL 1402

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State of Washington

53rd Legislature

1993 Regular Session

By Representatives Springer and Heavey; by request of Department of Licensing

Read first time 01/27/93. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to cemetery fees, funeral directors and embalmers  
2 account created; amending RCW 68.05.100, 68.05.205, and 18.39.290; and  
3 adding a new section to chapter 18.39 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 68.05.100 and 1987 c 331 s 9 are each amended to read  
6 as follows:

7 The board may establish necessary rules and regulations for the  
8 enforcement of this title and the laws subject to its jurisdiction and  
9 prescribe the form of statements and reports provided for in this  
10 title. Rules regulating the cremation of human remains and  
11 establishing ~~((fees and))~~ permit requirements shall be adopted in  
12 consultation with the state board of funeral directors and embalmers.

13 **Sec. 2.** RCW 68.05.205 and 1987 c 331 s 16 are each amended to read  
14 as follows:

15 ~~((Every cemetery authority shall pay for each cemetery operated by  
16 it, an annual regulatory charge to be fixed by the director of not more  
17 than three dollars per interment, entombment, and inurnment made during  
18 the preceding full calendar year, which charges shall be deposited in~~

1 ~~the cemetery account. Upon payment of said charges and compliance with~~  
2 ~~the provisions of Title 68 RCW and the lawful orders, rules, and~~  
3 ~~regulations of the board, the board will issue a certificate of~~  
4 ~~authority.)) The director in consultation with the cemetery board shall  
5 set all fees for chapters 68.05, 68.20, 68.24, 68.28, 68.32, 68.36,  
6 68.40, 68.44, and 68.46 RCW in accordance with RCW 43.24.086 including  
7 fees for licenses, certificates, regulatory charges, permits, or  
8 endorsements and the department shall collect the fees, the fees to be  
9 deposited in the cemetery account.~~

10 **Sec. 3.** RCW 18.39.290 and 1986 c 259 s 69 are each amended to read  
11 as follows:

12 All certificates of registration issued pursuant to this chapter  
13 shall continue in force until the expiration date unless suspended or  
14 revoked. A certificate shall be subject to renewal annually ninety  
15 days after the end of its fiscal year, as stated on the original  
16 application, by the funeral establishment and payment of the required  
17 fees.

18 The director shall determine and collect fees related to  
19 certificate of registration licensure in accordance with RCW 43.24.086.

20 All fees so collected shall be remitted by the director to the  
21 state treasurer not later than the first business day following receipt  
22 of such funds and the funds shall be credited to the ((health  
23 professions)) funeral directors and embalmers account.

24 NEW SECTION. **Sec. 4.** A new section is added to chapter 18.39 RCW  
25 to read as follows:

26 The funeral directors and embalmers account is created in the  
27 custody of the state treasurer. All fees received by the department  
28 for licenses, registrations, renewals, examinations, and audits shall  
29 be forwarded to the state treasurer who shall credit the money to the  
30 account. All fines and civil penalties ordered by the superior court  
31 or fines ordered under RCW 18.130.160(8) against holders of licenses or  
32 registrations issued under the provisions of this chapter shall be paid  
33 to the account. All expenses incurred in carrying out the licensing  
34 and registration activities of the department and the state funeral  
35 directors and embalmers board under this chapter shall be paid from the  
36 account as authorized by legislative appropriation. Any residue in the  
37 account shall be accumulated and shall not revert to the general fund

1 at the end of the biennium. All earnings of investments of balances in  
2 the account shall be credited to the general fund. A fund balance  
3 remaining in the health professions account attributable to the funeral  
4 director and embalmer professions as of the effective date of this act  
5 shall be transferred to the funeral directors and embalmers account.

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