

SENATE BILL REPORT

SB 5387

As Reported by Senate Committee On:
Commerce, Labor & Sports
Labor & Commerce, January 11, 2018

Title: An act relating to cremation by biochemical hydrolysis.

Brief Description: Concerning cremation by biochemical hydrolysis.

Sponsors: Senators Pedersen, Angel, Rolfes and Fain.

Brief History:

Committee Activity: Commerce, Labor & Sports: 2/08/17.
Labor & Commerce: 1/10/18, 1/11/18 [DP].

Brief Summary of Bill

- Adds alkaline hydrolysis as an approved final disposition of a deceased person's body.
- Updates various statutes to include alkaline hydrolysis, hydrolyzed human remains, and hydrolysis facilities in the regulation of handling, storing, and scattering human remains.
- Provides for licensing and inspection regulations for hydrolysis facilities.

SENATE COMMITTEE ON COMMERCE, LABOR & SPORTS

Staff: Susan Jones (786-7404)

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: Do pass.

Signed by Senators Keiser, Chair; Hasegawa, Vice Chair; Braun, Conway, King, Kuderer, Saldaña and Wilson.

Staff: Susan Jones (786-7404)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Background: The Funeral and Cemetery Board (Board) enforces and administers the laws generally related to cemeteries, morgues, and human remains. The Director of the Department of Licensing (Department), in consultation with the Board, administers the laws. Facilities, including crematories, that perform services related to the final disposition of human remains are licensed, by a permit or endorsement, by the Department and may be inspected. Conducting a cremation without a permit or endorsement is a misdemeanor.

The Department regulates certain professions and businesses, including funeral directors, embalmers, funeral establishments, cemeteries, and crematories. There are laws related to how human remains may be handled, stored, and for their disposition. In instances where the deceased human body is cremated, there are regulations related to scattering the cremated human remains.

Summary of Bill: Alkaline hydrolysis is defined as the reduction of human remains to bone fragments and essential elements in a licensed hydrolysis facility using heat, pressure, water, and alkaline substances. Alkaline hydrolysis is included as an allowed final disposition of a deceased person's body.

Alkaline hydrolysis facilities must be licensed and may be inspected by the Department.

Various statutes governing the final disposition of human remains, handling and scattering of the reduced remains, and operation of a facility that offers these services are amended to include alkaline hydrolysis, hydrolyzed human remains, and hydrolysis facilities. Generally, the amendments include alkaline hydrolysis and the related terms in a similar manner to cremation terms.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony (Commerce, Labor & Sports): *Testimony from 2017 Regular Session.* PRO: This is a simple bill that adds alkaline hydrolysis as a means to dispose of human remains. It is an environmentally friendly means by using dramatically less energy to reduce remains than cremation. It uses one-fourth of the carbon footprint and one-eighth of the fossil fuels. Twelve states allow this method. It may cost approximately \$500 more than cremation. The remains are sterile.

CON: There are questions about the process and the disposition of the remains. What happens to the water used in this process? Is it poured down the sewer? This is not a respectful way to treat the human body. There is a significant difference between what goes into the air verses going into a sewer.

Persons Testifying (Commerce, Labor & Sports): PRO: Senator Jamie Pedersen, Prime Sponsor; Kathy Long, People's Memorial Association, Executive Director.

CON: Tom Parker, Washington State Catholic Conference.

Persons Signed In To Testify But Not Testifying (Commerce, Labor & Sports): PRO: TK Bentler, WA Cemetery, Cremation and Funeral Assn.; TK Bentler, WA St Funeral Directors Assn.

Staff Summary of Public Testimony (Labor & Commerce): PRO: This is an alternative to cremation. It is sometimes referred to as "green cremation." It essentially uses a water bath and chemicals to reduce human remains to the same kind of ashes as cremation, but it uses less energy than traditional cremation. It is permissible in a number of other states.

We want more choice. We also think it is an environmentally sound choice. The amount of energy required is a lot less. What remains is a lot like what you would see in a hot fire cremation; however, they are different in that they are a lot cleaner.

With 80 percent of people choosing cremation, this is much gentler to the earth. It uses one-eighth of fossil fuel and one-fourth of the carbon footprint. We have spent two days educating and advocating the Catholic Conference, who was the major opponent last year. We appreciate their doctrine of the sanctity of the body, but we appeal to the stewardship of the earth. It uses quite of bit of water, about 100 gallons. The water is sterilized and goes into the waste water.

Persons Testifying (Labor & Commerce): PRO: Senator Jamie Pedersen, Prime Sponsor; Robert Lovato, citizen; Kathy Long, Executive Director, People's Memorial Association.

Persons Signed In To Testify But Not Testifying (Labor & Commerce): No one.