

SENATE BILL REPORT

SB 5178

As of February 2, 2009

Title: An act relating to historic cemeteries and graves.

Brief Description: Concerning historic cemeteries and graves.

Sponsors: Senator Haugen.

Brief History:

Committee Activity: Government Operations & Elections: 2/02/09.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Staff: Aaron Gutierrez (786-7448)

Background: The Department of Archaeology and Historic Preservation (DAHP) was formerly a division of the Department of Community, Trade, and Economic Development (CTED). In 2005 the Legislature established DAHP as an independent agency.

In addition to other duties, DAHP oversees a program whereby nonprofit corporations may be certified to preserve and maintain abandoned cemeteries. This program was established while DAHP was still a division of CTED, and the RCW refers to it as such. However, DAHP has continued to oversee the program.

Local governments may levy and collect taxes for purposes related to the burial of dead persons, such as providing a hearse and maintaining active cemeteries.

Summary of Bill: The certification program is rewritten and moved to a different chapter in the RCW to reflect that DAHP is no longer a CTED division. The program is also expanded to include volunteers and groups that are not incorporated.

To receive funding applicants must be certified by DAHP to preserve and rehabilitate untended cemeteries, and must obtain written permission from the landowner. A steering committee is formed to assist DAHP in creating the application process.

A single applicant may receive permission to care for more than one site, but may not receive more than \$1,500 per year for each site. DAHP must report yearly to the Legislature on use of the funds.

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.

A sum of \$40,000 is appropriated to DAHP to fund a new grant program to reimburse certified groups for expenses incurred while caring and maintaining untended cemeteries.

Taxes levied and collected by local governments may also go toward procurement and maintenance of abandoned and historic cemeteries within their boundaries.

Appropriation: \$40,000.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: Yes.

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

Staff Summary of Public Testimony: PRO: This is similar to a program in Oregon that has been very successful. Preservation and maintenance often cost less than repair. Pioneer cemeteries are located all over the state, but are being lost over time.

Persons Testifying: PRO: Senator Haugen, prime sponsor; Allyson Brooks, Department of Archaeology and Historic Preservation; Mike Moran, Samish Tribe.