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HOUSE BILL 2637

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State of Washington                      64th Legislature                      2016 Regular Session

By Representatives Manweller, DeBolt, G. Hunt, and Zeiger

Read first time 01/18/16. Referred to Committee on Capital Budget.

1            AN ACT Relating to preservation and improvement of historic  
2 cemeteries; amending RCW 18.39.175; and adding a new section to  
3 chapter 27.34 RCW.

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

5            NEW SECTION.    **Sec. 1.**    A new section is added to chapter 27.34  
6 RCW to read as follows:

7            (1) The Washington state historic cemetery preservation capital  
8 grant program is created in the department.

9            (2) The capital grant program is intended to benefit the public  
10 by preserving outstanding examples of the state's historical  
11 heritage, enabling historic cemeteries to continue to serve their  
12 communities, and honoring the military veterans buried within them.

13            (3) Capital grants shall be awarded each biennium for  
14 construction, renovation, or rehabilitation projects that preserve  
15 the historic character, features, and materials of the cemetery, or  
16 that maintain or improve the functions of the cemetery.

17            (4) A capital grant award may not exceed fifty thousand dollars,  
18 adjusted biennially for inflation. The department may not require  
19 applicants to provide matching funds.

20            (5) Eligible applicants for capital grants are cemetery property  
21 owners, nonprofit organizations, and local governments.

1 (6) To apply for support from the capital grants program, an  
2 eligible applicant must submit an application to the department in a  
3 form and according to a process prescribed by the department.

4 (7) The department shall transmit the applications it receives to  
5 the funeral and cemetery board, created in RCW 18.39.173 under the  
6 department of licensing, to be evaluated and prioritized. When  
7 evaluating and prioritizing projects, the board shall consider the  
8 following criteria:

9 (a) The relative historical significance of the cemetery;

10 (b) Whether the proposed project will result in lower costs of  
11 maintenance and operations; and

12 (c) The relative percentage of military burials in the cemetery.

13 (8) The conditions in this subsection must be met by recipients  
14 of funding in order to satisfy the public benefit requirements of the  
15 historic cemetery preservation grant program.

16 (a) The board shall transmit a prioritized list of projects for  
17 funding to the department, which must execute a contract with  
18 recipients before they commence work. The contract must specify  
19 public benefit and minimum maintenance requirements.

20 (b) Recipients must proactively maintain their historic cemetery  
21 for a minimum of ten years.

22 (c) Public access to the exterior of properties that are not  
23 visible from a public right-of-way must be provided under reasonable  
24 terms and circumstances, including the requirement that visits by  
25 nonprofit organizations or school groups must be offered at least one  
26 day per year. Tribal access must be provided under reasonable terms  
27 and circumstances to historic cemeteries in which there are Indian  
28 burials.

29 (9) Projects must be initiated within one year of funding  
30 approval and completed within two years, unless an extension is  
31 provided by the department in writing.

32 (10) If a recipient of a historic cemetery preservation capital  
33 grant, or subsequent owner of a property that was assisted by the  
34 grant, takes any action within ten years of the award with respect to  
35 the assisted property such as dismantlement, removal, substantial  
36 alteration, or any other action inconsistent with the property's  
37 status as a cemetery, the grant must be repaid in full within one  
38 year.

1       **Sec. 2.** RCW 18.39.175 and 2009 c 102 s 3 are each amended to  
2 read as follows:

3       The board shall have the following duties and responsibilities  
4 under this chapter:

5       (1) To be responsible for the preparation, conducting, and  
6 grading of examinations of applicants for funeral director and  
7 embalmer licenses;

8       (2) To certify to the director the results of examinations of  
9 applicants and certify the applicant as having "passed" or "failed";

10       (3) To make findings and recommendations to the director on any  
11 and all matters relating to the enforcement of this chapter;

12       (4) To adopt and enforce reasonable rules;

13       (5) To examine or audit or to direct the examination and audit of  
14 prearrangement funeral service trust fund records for compliance with  
15 this chapter and rules adopted by the board; (~~and~~)

16       (6) To adopt rules establishing mandatory continuing education  
17 requirements to be met by persons applying for license renewal; and

18       (7) To evaluate and prioritize applications submitted to the  
19 department of archaeology and historic preservation for historic  
20 cemetery preservation capital grants.

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