



**RULE-MAKING ORDER**  
(RCW 34.05.360)

**CR-103** (10/1/89)

Agency: DEPARTMENT OF LICENSING CEMETERY BOARD	<input checked="" type="checkbox"/> Permanent Rule <input type="checkbox"/> Emergency Rule
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(1) Date of adoption: March 1, 1993

(2) Purpose: To provide procedures and guidelines for licensing individuals and companies engaged in the business of scattering, burying or other disposition of cremated remains outside of cemeteries pursuant to RCW 68.05.195.

(3) Citation of existing rules affected by this order: NONE  
 Repealed:  
 Amended:  
 Suspended:

(4) Authority for adoption:  
 Statute: RCW 68.05.100  
 Other Authority:

(5.1) **PERMANENT RULE ONLY**  
 Pursuant to notice filed as WSR 93-03-063 on January 15, 1993 (date)  
 Describe any changes other than editing from proposed to adopted version: WAC 98-60-020(2): deleted "or the funeral directors and embalmers board", and added "and such records shall be subject to inspection by the board". WAC 98-60-040(1): changed "Certificate of Disposition" to "Certificate of Disposition of Cremated Remains".

(5.2) **EMERGENCY RULE ONLY**  
 Pursuant to RCW 34.05.350 the agency for good cause finds:  
 (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.  
 (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.  
 Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?  
 Yes  No If yes, explain:

(6) Effective date of rule:

<b>Permanent Rules</b> <input checked="" type="checkbox"/> 31 days after filing <input type="checkbox"/> Other (specify) _____* <small>*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)</small>	<b>Emergency Rules</b> <input type="checkbox"/> Immediately <input type="checkbox"/> Later (specify) _____
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**CODE REVISER USE ONLY**

CODE REVISER'S OFFICE  
STATE OF WASHINGTON  
FILED

MAR 12 1993

TIME 10:11 AM  
WSR 93-07-040

NAME (TYPE OR PRINT) Thomas Bock	SIGNATURE 
TITLE Chairman, Cemetery Board	DATE 3/8/93

Chapter 98-60 WAC

DISPOSITION OF CREMATED REMAINS

NEW SECTION

**WAC 98-60-010 Definitions.** The following definitions shall apply to this chapter:

(1) "Dedicated cemetery property" as used in this chapter means private cemetery property which has been dedicated in compliance with chapter 68.24 RCW, and cemetery property belonging to a public or religious cemetery as defined by RCW 68.05.400.

(2) "Board" as used in this chapter means the cemetery board.

(3) "Department" as used in this chapter means the department of licensing.

NEW SECTION

**WAC 98-60-020 Permits and endorsements.** (1) Anyone not authorized to control the disposition of remains under RCW 68.50.160 must register to obtain a permit or endorsement to bury or otherwise dispose of cremated remains by land, sea, or air, where such disposition is made outside dedicated cemetery property.

(2) Authorization under subsection (1) of this section for those holding licenses issued by the cemetery board shall be by an endorsement to their existing license. All other authorization shall be in the form of a permit issued by the board.

(3) In the case of a corporate applicant, the corporation shall apply for and hold the endorsement or permit.

NEW SECTION

**WAC 98-60-030 Compliance with all laws.** Permit and endorsement holders shall comply with all federal, state, and local laws related to the disposition of cremated remains.

NEW SECTION

**WAC 98-60-040 Records and documentation.** (1) Permit and endorsement holders must provide a Certificate of Disposition of Cremated Remains to the person authorizing the cremation. The certificate shall identify the name of the deceased, the location and date of the disposition of the cremated remains, the manner of disposition (boat, air, or other), the name of the authorizing agent, and, if applicable, the name of the funeral home, crematory, or cemetery arranging the service.

(2) Permit and endorsement holders must maintain copies of records required under subsection (1) of this section for seven years from the date of disposition and such records shall be subject to inspection by the board.

(3) Permit and endorsement holders shall report the number of dispositions performed in the previous year in the space provided on the annual renewal form supplied by the department. Failure to provide such a report shall automatically suspend the permit or endorsement. Such permit or endorsement may be restored by making the proper report to the department.

NEW SECTION

**WAC 98-60-050 Permits and endorsements--Terms--Fees.** All permits or endorsements issued under this rule shall be issued for the year and shall expire at midnight, the thirty-first day of January of each year, or at whatever time during any year that ownership or control of any permit or endorsement holder is transferred or sold.

The fees shall be as set forth in chapter 98-70 WAC and the department shall collect in advance the fees required for licensing.