
Capital Budget Committee

HB 2637

Brief Description: Creating the Washington state historic cemetery preservation capital grant program.

Sponsors: Representatives Manweller, DeBolt, G. Hunt and Zeiger.

<p>Brief Summary of Bill</p> <ul style="list-style-type: none">• Creates the Washington state Historic Cemetery Preservation Capital Grant program in the Department of Archaeology and Historic Preservation.

Hearing Date: 1/22/16

Staff: Meg VanSchoorl (786-7105).

Background:

Department of Archaeology and Historic Preservation.

The Department of Archaeology and Historic Preservation (DAHP), under the direction of the State Historic Preservation Officer, has responsibilities under both federal and state law for helping preserve the cultural and historic resources of the state. Among its capital budget-related responsibilities is administering the Heritage Barn and Historic County Courthouse Rehabilitation grant programs. Related to cemeteries, DAHP's Human Remains and Cemeteries program investigates non-forensic human skeletal remain finds in the state of Washington and the recording of all known cemeteries and burial sites within the state. The DAHP is required to develop and maintain a centralized database and geographic information systems spatial layer of all known cemeteries and known sites of burials of human remains. The database, currently numbering 1457 cemeteries, is updated on an annual basis.

Funeral and Cemetery Board, Department of Licensing.

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.

The Funeral and Cemetery Board (Board), under the Department of Licensing (DOL), has seven members appointed by the Governor. The Board is responsible for regulatory and disciplinary matters for the cemetery and funeral programs within the DOL. Related to cemeteries, the Board administers licenses to cemetery authorities; examines cemetery authorities' endowment care and prearrangement trust funds; issues permits for operating a crematory and disposing of cremated remains; and takes disciplinary actions against cemetery authorities. The Board currently regulates 155 cemeteries. Exempted from the Board's regulatory authority are nonprofit cemeteries owned or operated by any recognized religious denomination that is exempt from property taxes, and any cemetery controlled and operated by a coroner, county, city, town or cemetery district.

Cemetery Definitions in Statute.

Under chapter 68.04 RCW, a "cemetery" includes any one, or a combination, of the following, in a place used or intended to be used for placement of human remains and dedicated for cemetery purposes: a burial park, for earth interments; a mausoleum, for crypt interments, a columbarium, for permanent niche interments; or, for the purposes of chapter 68.60 RCW, any burial site, burial grounds, or place where five or more human remains are buried.

Under chapter 68.60 RCW, a "historical cemetery" is any burial site or grounds which contain human remains buried prior to November 11, 1889. Cemeteries holding a valid certificate of authority under the Board's authority, cemeteries owned or operated by any recognized religious denomination that qualifies for an exemption from property taxation, and cemeteries controlled or operated by a coroner, county, city, town, or cemetery district are not considered historical cemeteries.

Summary of Bill:

The Washington State Historic Cemetery Preservation Capital Grant program is created in the DAHP. The program's public benefits include: preserving the state's historic heritage, allowing historic cemeteries to continue serving communities, and honoring military veterans. Cemetery property owners, nonprofit organizations, and local governments are eligible to apply for grants for construction, renovation, or rehabilitation projects that preserve a cemetery's historic character, features, or maintain or improve its functions. Grant awards are capped at \$50,000, adjusted each biennium for inflation. No match may be required from applicants.

Applications must be submitted to DAHP, then transmitted to the Board to be evaluated and prioritized. Evaluation and prioritization of Historic Cemetery Preservation Capital Grant applications is added to the Board's existing statutory responsibilities. The evaluation criteria are: relative historic significance, potential lessening of maintenance and operations costs, and relative percentage of military burials. The Board must transmit its prioritized list of projects for funding to the DAHP, which must execute contracts with recipients prior to work beginning. Projects must be initiated within one year and completed within two years of the award, unless approved for extension.

Grant recipients must maintain the cemetery for at least 10 years. Public access and tribal access must be provided under reasonable terms and conditions. Visits by non-profit organizations and school groups must be offered at least one day per year. Any dismantlement, removal,

substantial alteration or similar action taken by the recipient or subsequent owner within 10 years of the award will require full grant repayment within one year.

Appropriation: None.

Fiscal Note: Requested 1/18/2016.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.