

the county or district to develop local funding necessary to pay for additional highway improvements over and above those planned by the department so that the highway improvements may be done at the same time.

*Sec. 4 was partially vetoed, see message at end of chapter.

Passed the House April 22, 1985.

Passed the Senate April 18, 1985.

Approved by the Governor May 20, 1985, with the exception of certain items which are vetoed.

Filed in Office of Secretary of State May 20, 1985.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith without my approval as to a portion of Section 4, Substitute House Bill No. 187, entitled:

"AN ACT Relating to state-authorized improvements to state highways by counties and service districts;"

Language in Section 4 prohibits the Department of Transportation (DOT) from eliminating, delaying, or reducing the scale of a project that would otherwise be a part of the six-year highway plan in order to coerce a county or service district to participate in funding. Although I support the legislatures intent with this language in Section 4, I am concerned that it could place DOT in the difficult position of proving a lack of malice whenever the department eliminated, delayed or reduced the scale of a project for good cause. This would disrupt the systematic planning process and might invite litigation over routine decisions of the agency. For these reasons I have vetoed a portion of Section 4.

With the exception of a portion of Section 4, Substitute House Bill No. 187 is approved."

CHAPTER 401

[Substitute House Bill No. 46]

RESTRAINTS OF TRADE—UNFAIR AND DECEPTIVE BUSINESS PRACTICES—INTENT CLARIFIED

AN ACT Relating to antitrust and unfair and deceptive business practices; and amending RCW 19.86.920.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 20, chapter 216, Laws of 1961 as last amended by section 4, chapter 288, Laws of 1983 and RCW 19.86.920 are each amended to read as follows:

The legislature hereby declares that the purpose of this act is to complement the body of federal law governing restraints of trade, unfair competition and unfair, deceptive, and fraudulent acts or practices in order to protect the public and foster fair and honest competition. It is the intent of the legislature that, in construing this act, the courts be guided by final decisions of the federal courts and final orders of the federal trade commission interpreting the various federal statutes dealing with the same or similar matters and that in deciding whether conduct restrains or monopolizes trade or commerce or may substantially lessen competition, determination of the

relevant market or effective area of competition shall not be limited by the boundaries of the state of Washington. To this end this act shall be liberally construed that its beneficial purposes may be served.

It is, however, the intent of the legislature that this act shall not be construed to prohibit acts or practices which are reasonable in relation to the development and preservation of business or which are not injurious to the public interest, nor be construed to authorize those acts or practices which unreasonably restrain trade or are unreasonable per se.

Passed the House April 26, 1985.

Passed the Senate April 19, 1985.

Approved by the Governor May 20, 1985.

Filed in Office of Secretary of State May 20, 1985.

CHAPTER 402

[Substitute House Bill No. 68]

HUMAN REMAINS—STORAGE AND DISPOSAL

AN ACT Relating to the storage and disposal of human remains; amending RCW 18.39-.215, 18.39.175, 68.05.100, and 68.08.230; adding a new section to chapter 18.39 RCW; adding a new section to chapter 68.05 RCW; adding new sections to chapter 68.08 RCW; creating a new section; and prescribing penalties.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature finds that certain practices in storing human remains and in performing cremations violate common notions of decency and generally held expectations. In enacting this legislation, the legislature is reaffirming that certain practices, which have never been acceptable, violate principles of human dignity.

NEW SECTION. Sec. 2. If embalming services are not desired nor required for the type of arrangements chosen by the authorized family member or representative and a refrigeration unit is unavailable for use, embalming services shall be provided without charge in instances where the body is to be held more than twenty-four hours.

NEW SECTION. Sec. 3. (1) A person authorized to dispose of human remains shall not cremate or cause to be cremated more than one body at a time unless written permission, after full and adequate disclosure regarding the manner of cremation, has been received from the person or persons under RCW 68.08.160 having the authority to order cremation.

(2) Violation of this section is a gross misdemeanor.

NEW SECTION. Sec. 4. A new section is added to chapter 68.05 RCW to read as follows:

A permit or endorsement issued by the cemetery board or under chapter 18.39 RCW is required in order to operate a crematory or conduct a cremation. Conducting a cremation without a permit or endorsement is a