

CHAPTER 103.

[H. B. 15.]

DISPOSITION OF HUMAN REMAINS—DISCRIMINATION.

AN ACT relating to discrimination in the disposition of human remains; amending section 3, chapter 183, Laws of 1949 as amended by section 4, chapter 37, Laws of 1957, and RCW 49.60.040; amending section 3, chapter 33, Laws of 1899 and RCW 68.20.110; and amending section 84.36.020, chapter 15, Laws of 1961 (House Bill No. 6) and RCW 84.36.020.

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

SECTION 1. Section 3, chapter 183, Laws of 1949 as amended by section 4, chapter 37, Laws of 1957, and RCW 49.60.040 are each amended to read as follows:

RCW 49.60.040 amended.

As used in this chapter:

“Person” includes one or more individuals, partnerships, associations, organizations, corporations, cooperatives, legal representatives, trustees and receivers or any group of persons; it includes any owner, lessee, proprietor, manager, agent or employee, whether one or more natural persons; and further includes any political or civil subdivisions of the state and any agency or instrumentality of the state or of any political or civil subdivision thereof;

Law against discrimination. Definitions.

“Employer” includes any person acting in the interest of an employer, directly, or indirectly, who has eight or more persons in his employ, and does not include any religious or sectarian organization, not organized for private profit;

“Employee” does not include any individual employed by his parents, spouse or child, or in the domestic service of any person;

“Labor organization” includes any organization which exists for the purpose, in whole or in part, of dealing with employers concerning grievances or

terms or conditions of employment, or for other mutual aid or protection in connection with employment;

“Employment agency” includes any person undertaking with or without compensation to recruit, procure, refer, or place employees for an employer;

“National origin” includes “ancestry”;

“Full enjoyment of” includes the right to purchase any service, commodity or article of personal property offered or sold on, or by, any establishment to the public, and the admission of any person to accommodations, advantages, facilities or privileges of any place of public resort, accommodation, assemblage or amusement, without acts directly or indirectly causing persons of any particular race, creed or color, to be treated as not welcome, accepted, desired or solicited;

“Any place of public resort, accommodation, assemblage or amusement” includes, but is not limited to, any place, licensed or unlicensed, kept for gain, hire or reward, or where charges are made for admission, service, occupancy or use of any property or facilities, whether conducted for the entertainment, housing or lodging of transient guests, or for the benefit, use or accommodation of those seeking health, recreation or rest, or for the burial or other disposition of human remains, or for the sale of goods, merchandise, services, or personal property, or for the rendering of personal services, or for public conveyance or transportation on land, water, or in the air, including the stations and terminals thereof and the garaging of vehicles, or where food or beverages of any kind are sold for consumption on the premises, or where public amusement, entertainment, sports or recreation of any kind is offered with or without charge, or where medical service or care is made available, or where the public gathers, congregates, or assembles for amusement, recrea-

tion or public purposes, or public halls, public elevators and public washrooms of buildings and structures occupied by two or more tenants, or by the owner and one or more tenants, or any public library or educational institution, or schools of special instruction, or nursery schools, or day care centers or children's camps: *Provided*, That nothing herein contained shall be construed to include or apply to any institute, bona fide club, or place of accommodation, which is by its nature distinctly private, including fraternal organizations, though where public use is permitted that use shall be covered by this chapter; nor shall anything herein contained apply to any educational facility, columbarium, crematory, mausoleum, or cemetery operated or maintained by a bona fide religious or sectarian institution;

"Publicly-assisted housing" includes any building, structure or portion thereof which is used or occupied or is intended to be used or occupied as the home, residence or sleeping place of one or more persons, and the acquisition, construction, rehabilitation, repair or maintenance of which is financed in whole or in part by a loan, whether or not secured by a mortgage, the repayment of which is guaranteed or insured by the federal government or any agency thereof, or the state or any of its political subdivisions, or any agency thereof, provided that such a housing accommodation shall be deemed to be publicly-assisted only during the life of such loan and such guarantee or insurance, or if a commitment, issued by a government agency, is outstanding that the acquisition of such housing accommodations may be financed in whole or in part by a loan, whether or not secured by a mortgage, the repayment of which is guaranteed or insured by the federal government or any agency thereof, or the state or any of its political subdivisions, or any agency thereof;

“Owner” includes the owner, lessee, sublessee, assignee, agent, creditor, lender or other person having the right to ownership or possession of housing, or to have housing pledged as security for a debt.

RCW 68.20.110
amended.

SEC. 2. Section 3, chapter 33, Laws of 1899 and RCW 68.20.110 are each amended to read as follows:

Nonprofit
cemetery
association—
Tax exempt
land—Irreduc-
ible fund—
Bonds.

Such association shall be authorized to purchase or take by gift or devise, and hold land exempt from execution and from any appropriation to public purposes, for the sole purpose of a cemetery not exceeding eighty acres, which shall be exempt from taxation if intended to be used exclusively for burial purposes without discrimination as to race, color, national origin or ancestry, and in nowise with a view to profit of the members of such association: *Provided*, That when the land already held by the association is all practically used then the amount thereof may be increased by adding thereto not exceeding twenty acres at a time. Such association may by its bylaws provide that a stated percentage of the moneys realized from the sale of lots, donations or other sources of revenue, shall constitute an irreducible fund, which fund may be invested in such manner or loaned upon such securities as the association or the trustees thereof may deem proper. The interest or income arising from the irreducible fund, provided for in any bylaws, or so much thereof as may be necessary, shall be devoted exclusively to the preservation and embellishment of the lots sold to the members of such association, and where any bylaws has been enacted for the creation of an irreducible fund as herein provided for it cannot thereafter be amended in any manner whatever except for the purpose of increasing such fund. After paying for the land all the future receipts and income of such association subject to the provisions herein for the creation of an irreducible fund, whether from the sale of lots, from donations, rents

or otherwise, shall be applied exclusively to laying out, preserving, protecting and embellishing the cemetery and the avenues leading thereto, and in the erection of such buildings as may be necessary or convenient for the cemetery purposes, and to paying the necessary expenses of the association. No debts shall be contracted in anticipation of any future receipts except for originally purchasing, laying out and embellishing the grounds and avenues, for which debts so contracted such association may issue bonds or notes and secure the same by way of mortgage upon any of its lands, excepting such lots as shall have been conveyed to the members thereof; and such association shall have power to adopt such rules and regulations as they shall deem expedient for disposing of and for conveying burial lots.

SEC. 3. Section 84.36.020, chapter 15, Laws of 1961 (House Bill No. 6) and RCW 84.36.020 are each amended to read as follows:

RCW 84.36.020 amended.

The following property shall be exempt from taxation:

Property tax exemptions.

All lands used exclusively for public burying grounds or cemeteries without discrimination as to race, color, national origin or ancestry;

Cemeteries, churches and grounds.

All churches, built and supported by donations, whose seats are free to all; and the ground, not exceeding five acres in area, upon which any cathedral or church of any recognized religious denomination is or shall be built, together with a parsonage. The area exempted shall in any case include all ground covered by the church and parsonage and the structures and ground necessary for street access, light, and ventilation, but the area of unoccupied ground exempted in such cases, in connection with both church and parsonage, shall not exceed the equivalent of one hundred twenty by one hundred twenty feet. The parsonage need not be on land contiguous to the church property if the total area ex-

empted does not exceed the areas above specified. To be exempt the grounds must be used wholly for church purposes.

Nonliability for breach of preexisting contract.

SEC. 4. Nothing herein shall be construed to render any person or corporation liable for breach of preexisting contracts by reason of compliance by such person or corporation with this act.

Passed the House February 10, 1961.

Passed the Senate March 5, 1961.

Approved by the Governor March 15, 1961.

CHAPTER 104.

[H. B. 24.]

SALE OF PERSONAL PROPERTY BY SHERIFF.

AN ACT relating to public sale of personal property in possession of county sheriffs.

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

Sale of personal property in possession of sheriff. Authorized, when.

SECTION 1. Whenever any personal property, other than vehicles governed by 46.52 RCW, shall come into the possession of the sheriff of any county in connection with the official performance of his duties and said personal property shall remain unclaimed or not taken away for a period of six months from date of written notice to the owner thereof, if known, and in all other cases for a period of six months from the time said property came into the possession of the sheriff's office, unless said property has been held as evidence in any court, then, in that event, after six months from date when said case has been finally disposed of and said property released as evidence by order of the court, said county sheriff may at any time thereafter sell said personal property at public auction to the highest and best bidder for cash in the manner hereinafter provided.