

CHAPTER 215.

[H. B. 93.]

REGULATING THE PRACTICE OF EMBALMING.

AN ACT to regulate the practice of embalming and licensing of persons to carry on such practice; to regulate the transportation of bodies of deceased human beings, and providing punishment for violations.

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

SECTION 1. It shall be unlawful for any person to follow the occupation of embalming in this state unless he shall have first obtained a certificate of registration as provided in this act: *Provided, however,* That nothing in this act shall apply to or affect any person who now holds a license as an embalmer from the State Board of Health of the State of Washington, except as hereinafter provided.

Embalmer to
be registered.

SEC. 2. Preparation of the body of any deceased person for the purpose of preserving the same for more than 30 hours after death, or preparing the remains of any deceased person for shipment by railway or other public conveyance between points within the State of Washington or between any points in the State of Washington and any points without said state, shall be construed as practicing the occupation of embalming within the meaning of this act.

What is
embalming.

SEC. 3. A board of examiners to consist of three persons and to be known as the State Embalmers' Examining Board is hereby created to carry out the purposes and enforce the provisions of this act. Two members of said board shall be appointed by the Governor from embalmers holding licenses as such from the State Board of Health of the State of Washington and who have been residents of the state for at least two years. Each member of the board, so appointed, shall serve for two years and until his successor is appointed and qualified, except in the case of the first appointees, who shall serve one and two years,

State
examining
board.

respectively. The third member of the board shall be the secretary of the State Board of Health.

Officers of
board.

SEC. 4. Said board shall elect a president, secretary and treasurer; shall have a common seal; and shall have the power to administer oaths. The headquarters of said board shall be the place of residence of the secretary.

Bond of
treasurer.

SEC. 5. The treasurer shall give surety bond to be approved by and deposited with the Auditor of this state in the sum of one thousand dollars (\$1,000), and the members of said board shall take the oath provided by law for public officers. The cost of said bond shall be paid out of the funds in the hands of the treasurer of the board.

Compensa-
tion of
members.

SEC. 6. Each member of said board shall receive a compensation of five dollars (\$5.00) per day for actual services rendered, together with actual expenses incurred in attending the meetings of the board. All money shall be paid out of the funds in the hands of the treasurer, and in no event shall any money be paid out of the state treasury.

Annual
report.

SEC. 7. Said board shall report to the Governor of the state biennially, a full statement of the receipts and disbursements of the board during the preceding two years and a full statement of its doings and proceedings, and such recommendations as may seem proper.

Examination.

SEC. 8. Said board shall hold a public examination at least once in each year, at such time and place as it may determine. Notice of such meetings to be sent to the various applicants by mail at least ten days before the meetings.

Rules for
embalmer.

SEC. 9. Said board shall have authority to prescribe rules and regulations for the preparation of the bodies of deceased persons for burial or for transportation. Such rules and regulations shall be printed and a copy furnished to each licensed embalmer in the state.

Present
licenses
continued.

SEC. 10. Every person now holding a state license by the Washington State Board of Health and engaged in the occupation of embalming shall within 90 days after the approval of this act file with the secretary of the board an affidavit setting forth his name, residence and length

of time during which, and the place where he has practiced such occupation, and shall pay to the secretary of said board \$1.00, and a certificate entitling him to practice such occupation until December 31st of that year shall thereupon be issued to him.

SEC. 11. To obtain a certificate of registration under this act, any persons except those mentioned in section 10 shall make applications to the board and shall pay to the secretary an examination fee of \$5.00, and shall present himself at the next meeting of the board for examination of applicants. The board shall examine such persons in the following subjects: Anatomy, sanitary science, the care, disinfection, preservation, transportation and burial or other final disposition of the remains of deceased persons, and the rules and regulations of the State Board of Health relating to quarantine and communicable diseases. He shall also demonstrate his proficiency as an embalmer by operations on cadaver. The examination papers and oral answers shall, when concluded, be graded upon the scale of 100. The average rating required to pass shall be fixed by the board prior to the examination, and the board having been satisfied that he has the requisite qualifications to practice the occupation of embalmer, his name shall be entered by the board in a register provided for that purpose and a certificate of registration shall be issued to him authorizing him to practice said occupation until December 31st of that year. Upon the issuance of said certificate each applicant shall pay a further fee of five dollars (\$5.00). Applications for renewal of licenses must be filed with the secretary of the said board on or before December 31st of each year, and shall be accompanied by a renewal fee of one dollar (\$1.00). All certificates shall be renewed each year upon the filing of applications accompanied by renewal fee.

SEC. 12. Each applicant for a license to practice embalming shall have attained the age of 21 years and shall have had not less than two years' experience under a licensed embalmer in this state, or in lieu thereof shall have had a practical experience of not less than one year

under a licensed embalmer and shall have completed a regular course of instruction in a school of embalming recognized as being in good standing by the State Embalmers' Examining Board of Washington. Such applications shall be filed with the secretary of the board not less than ten days prior to the day of the next examination, together with a sworn statement of the age of the applicant and his other qualifications as required by this act, and a certificate of good moral character signed by three responsible citizens, one of whom must be a licensed embalmer personally acquainted with the applicant for at least one year.

Certificate to be kept posted.

SEC. 13. Said board shall furnish to each person mentioned in section 10 and to each person who successfully passes an examination a certificate of registration bearing the seal of the board and the signature of its president and secretary, certifying that the holder is entitled to practice the occupation of embalmer in this state, and it shall be the duty of the holder of such certificate to post the same conspicuously in his place of business.

Board may revoke license.

SEC. 14. Said board shall have power to revoke any certificate of registration or license granted by it under this act, if the holder thereof has been guilty of drunkenness or has been convicted of crime or who has obtained said license by any false or fraudulent representation, or who has been guilty of immoral or unprofessional or dishonorable conduct, or of wilful or repeated violation of the rules or regulations of the State Embalmers' Examining Board or of doing work in an unsanitary or filthy manner: *Provided*, That before any certificate or license shall be revoked the holder thereof shall have notice in writing of the charge or charges against him and shall at a time specified in said notice, not less than ten days after the service thereof, be given a public hearing and full opportunity to produce testimony in his behalf and to confront the witnesses against him. Any person whose certificate has been so revoked may, after the expiration of 90 days, upon application have the same re-issued upon satisfactory showing that disqualification has ceased.

SEC. 15. Any licensed embalmer who shall prefer charges against any other licensed embalmer shall at the time such charges are preferred deposit with the board a sum sufficient to cover the probable expense to the board in hearing such charges, and in case the charge be substantiated in whole or in part, such deposit shall be returned to the complainant; but if such charge be not substantiated in whole or in part, the board shall retain a sum sufficient to reimburse it for the expense incurred, and return the balance of such deposit, if any there be, to the person making such deposit.

Complainant
to pay costs,
when.

SEC. 16. The said board shall recognize licenses issued to embalmers under the authority of the laws of any other state board having similar requirements to those existing in this state: *Provided*, That if such state or states recognize licenses issued under the authority of the laws of the State of Washington, then such licenses issued by authority of such other states may be deemed sufficient evidence of qualifications of the holder thereof without further examination for license in this state, and the holder of such license shall be entitled to have a license issued to him upon the payment of the sum of ten dollars (\$10.00). The owner of any license or renewal provided for in this act shall cause the same to be registered in the office of the local board of health of each city, town or county wherein he intends to practice the occupation of embalmer.

Licenses
without
examination
fee.

SEC. 17. Any person practicing the occupation of embalmer in this state without having first obtained a certificate of registration or license, as provided in this act, or falsely pretending to be practicing such occupation under this act, or who violates any of the provisions of this act, or any of the rules or regulations prescribed by said board by authority of this act, shall be guilty of a misdemeanor, and upon conviction thereof in any court of competent jurisdiction, shall be punished by a fine of not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00), or be imprisoned in the county

Violations of
act, penalty.

jail not less than ten days nor more than ninety days, or both.

Repeal. SEC. 18. All acts or parts of acts in conflict herewith are hereby repealed.

Passed by the House February 27, 1909.

Passed by the Senate March 3, 1909.

Approved March 18, 1909.

CHAPTER 216.

[H. B. 128.]

REQUIRING THE SALE OF CERTAIN LANDS.

AN ACT authorizing and directing the board of state land commissioners to sell the south ten acres of the northeast quarter of the southeast quarter of section 31, township 28 north, range 8 east of the Willamette meridian, and declaring an emergency.

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

Land near Sultan.

SECTION 1. That the Board of State Land Commissioners be and they are hereby authorized and directed to appraise and offer for sale, at public auction, and sell, the south ten acres of the northeast quarter of the southeast quarter of section 31, township 28 north, range 8 east of the Willamette meridian.

Emergency.

SEC. 2. An emergency exists and this act shall take effect immediately.

Passed by the House February 16, 1909.

Passed by the Senate March 10, 1909.

Approved March 18, 1909.