

legislature in pursuance thereof, and in establishing, building and operating training facilities; and

(6) Administer the funds provided by the federal government, and by the state under the provisions of any federal acts and of the acts passed by the legislature for the promotion of fire service training: PROVIDED, That the provisions of this act apply only to the structural fire services and do not include those funds now or hereafter used for the forest fire services and do not include those funds now or hereafter used for the forest fire services training programs.

NEW SECTION. Sec. 2. The code reviser is hereby directed to add the provisions of section 1 of this act to chapter 8, Laws of 1967 ex. sess., and to chapter 28.85 RCW, unless or until such time as the education code of 1969 (HB 58) shall become effective, at which time it shall be added to chapter 28B.50 RCW thereof.

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CHAPTER 99
 [Senate Bill No. 652]
 CEMETERIES--ADMINISTRATION--
 FEES--ENDOWMENT CARE FUNDS

AN ACT Relating to cemeteries, administration and regulation of endowment care funds, and raising maximum fees; amending section 46, chapter 290, Laws of 1953 and RCW 68.05.170; amending section 48, chapter 290, Laws of 1953 and RCW 68.05.210; amending section 50, chapter 290, Laws of 1953 and RCW 68.05.220; amending section 51, chapter 290, Laws of 1953 and RCW 68.05-230; and adding a new section to chapter 290, Laws of 1953 and to chapter 68.05 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 46, chapter 290, Laws of 1953 and RCW 68-.05.170 are each amended to read as follows:

(1) Whenever the board finds, after notice and hearing, that any endowment care funds have been invested in violation of this

title, it shall by written order mailed to the person or body in charge of the fund require the reinvestment of the funds in conformity with this title within the period specified by it which shall be not ~~((less))~~ more than ~~((two-years-where-the-investment-was-made-prior-to-June-11,-1953-and-not-less-than))~~ six months ~~((when-made-after-June-11,-1953))~~. Such period may be extended by the board in its discretion.

(2) The board may bring actions for the preservation and protection of endowment care funds in the superior court of the county in which the cemetery is located and the court shall appoint substitute trustees and make any other order which may be necessary for the preservation, protection and recovery of endowment care funds, whenever a cemetery authority or the trustees of its fund have:

(a) transferred or attempted to transfer any property to, or made any loan from, the endowment care funds for the benefit of the cemetery authority or any director, officer, agent or employee of the cemetery authority or trustee of any endowment care funds; or,

(b) failed to reinvest endowment care funds in accordance with a board order issued under subsection one of this amendatory act; or,

(c) invested endowment care funds in violation of this title;
or,

(d) taken action or failed to take action to preserve and protect the endowment care funds, evidencing a lack of concern therefor; or,

(e) become financially irresponsible or transferred control of the cemetery authority to any person who, or business entity which, is financially irresponsible; or,

(f) is in danger of becoming insolvent or has gone into bankruptcy or, receivership; or,

(g) taken any action in violation of Title 68 RCW or failed to take action required by Title 68 RCW or has failed to comply with lawful rules, regulations and orders of the board.

(3) Whenever the board has reason to believe that endowment care funds are in danger of being lost or dissipated during the time required for notice and hearing, it may immediately apply to the superior court of the county in which the cemetery is located for any order which appears necessary for the preservation and protection of endowment care funds, including, but not limited to, immediate substitutions of trustees.

Sec. 2. Section 48, chapter 290, Laws of 1953 and RCW 68.05-.210 are each amended to read as follows:

The board may require such proof as it deems advisable concerning the compliance by such applicant to all the laws, rules, regulations, ordinances and orders applicable to it. The board shall also require proof that the applicant and its officers and directors are financially responsible, trustworthy and have good personal and business reputations, in order that only cemeteries of permanent benefit to the community in which they are located will be established in this state.

Sec. 3. Section 50, chapter 290, Laws of 1953 and RCW 68.05-.220 are each amended to read as follows:

The regulatory charges for cemetery certificates at all periods of the (~~{f19ea1}~~) year are the same as provided in this chapter. All regulatory charges are payable at the time of the filing of the application and in advance of the issuance of the certificates. All certificates shall be issued for the (~~{f19ea1}~~) year and shall expire at midnight, the thirtieth day of January of each (~~{f19ea1}~~) year, or at whatever time during any year that ownership or control of any cemetery authority is transferred or sold. Cemetery certificates shall not be transferable. Failure to pay the regulatory charge fixed by the board (~~{prier-to-January-1,-1954,-and}~~) prior to the first day of February for any (~~{sueeeding}~~) year automatically shall suspend the certificate of authority. Such certificate may be restored upon payment to the board of the prescribed charges.

Sec. 4. Section 51, chapter 290, Laws of 1953 and RCW 68.05-

.230 are each amended to read as follows:

Every cemetery authority shall pay for each cemetery operated by it, an annual regulatory charge (~~((7-not-to-exceed-twenty-five dollars,))~~) to be fixed by the board, based on the number of interments, entombments and inurnments made during the preceding full calendar year, but not exceeding twenty-five dollars for one hundred or less, fifty dollars for one hundred one to three hundred fifty, seventy-five dollars for three hundred fifty-one to seven hundred, one hundred dollars for seven hundred one or more; plus an additional charge of not more than (~~((fifteen))~~) fifty cents per interment, entombment and inurnment made during the preceding full calendar year, which charges shall be deposited in the cemetery (~~((fund))~~) account. Upon payment of said charges and compliance with the provisions of Title 68 RCW and the lawful orders, rules and regulations of the board, the board will issue a certificate of authority.

NEW SECTION. Sec. 5. There is added to chapter 290, Laws of 1953 and to chapter 68.05 RCW a new section to read as follows:

Prior to the sale or transfer of ownership or control of any cemetery authority, any person, corporation or other legal entity desiring to acquire such ownership or control shall apply in writing for a new certificate of authority to operate a cemetery and shall comply with all provisions of Title 68 RCW relating to applications for, and the basis for granting, an original certificate of authority. The board shall, in addition, enter any order deemed necessary for the protection of all endowment care funds during such transfer. Persons and business entities selling and persons and business entities purchasing ownership or control of a cemetery authority shall each file an endowment care fund report showing the status of said funds immediately before and immediately after such transfer on a written report form prescribed by the board. Failure to comply with this section shall be a gross misdemeanor and any sale or transfer

in violation of this section shall be void.

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CHAPTER 100
[Engrossed House Bill No. 99]
AGRICULTURAL COMMODITIES--
WEIGHMASTERS AND WEIGHERS--
CERTIFIED WEIGHTS

AN ACT Relating to certified weights; repealing sections 15.80.010 through 15.80.260, chapter 11, Laws of 1961 and RCW 15.80.010 through 15.80.260; providing penalties; and making an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. Terms used in this act shall have the meaning given to them in sections 2 through 11 of this act unless the context where used shall clearly indicate to the contrary.

NEW SECTION. Sec. 2. "Department" means the department of agriculture of the state of Washington.

NEW SECTION. Sec. 3. "Director" means the director of the department or his duly appointed representative.

NEW SECTION. Sec. 4. "Person" means a natural person, individual, or firm, partnership, corporation, company, society, or association. This term shall import either the singular or plural, as the case may be.

NEW SECTION. Sec. 5. "Licensed public weighmaster" also referred to as weighmaster, means any person, licensed under the provisions of this act, who weighs, measures or counts any commodity or thing and issues therefor a signed certified statement, ticket, or memorandum of weight, measure or count accepted as the accurate weight, or count upon which the purchase or sale of any commodity or upon which the basic charge or payment for services rendered is based.

NEW SECTION. Sec. 6. "Weigher" means any person who is licensed under the provisions of this act and who is an agent or employee of a weighmaster and authorized by the weighmaster to issue