



Ninety-Eighth Legislature - Second Session - 2004
Committee Statement
LB 1201

Hearing Date: February 2, 2004
Committee On: General Affairs

Introducer(s): (Janssen, Vrtiska)
Title: Create the Statewide Cemetery Registry

Roll Call Vote – Final Committee Action:

- Advanced to General File
 - X Advanced to General File with Amendments
 - Indefinitely Postponed
-

Vote Results:

8	Yes	Senators, Connealy, Cunningham, Erdman, Friend, Janssen, Landis, Mossey, Schimek
0	No	
0	Present, not voting	
0	Absent	

Proponents:
Sen. Ray Janssen
Justin Brady

Representing:
District #15
State Cemetery Association

Opponents:
Larry Dicks
Jim Cunningham

Representing:
NACO
NE Catholic Conference

Neutral:
Lawrence Sommer
Mary Sommermeyer

Representing:
Executive Director of State Historical Society
League of Nebraska Municipalities

Summary of purpose and/or changes:

LB 1201 would create a Statewide Cemetery Registry. The stated purpose of the registry is to provide a central data bank of accurate and current information regarding the location of and the human remains contained in cemeteries, burial grounds, mausoleums, and columbariums in the state.

The registry would be effective January 1, 2005 and would be established and maintained by the State Historical Society. The registry would be available to the public. The registry applies to all cities, villages, townships, counties, churches, fraternal and benevolent societies, cemetery districts, cemetery associations, and mausoleum associations that own, operate or maintain a

cemetery, pioneer cemetery, abandoned and neglected cemetery, Indian burial ground, mausoleum, or columbarium. The cemetery, burial ground, mausoleum, or columbarium is required to register every ten years following the initial registration.

The registration is required to include the following information:

- The location or address of the cemetery, burial ground, mausoleum, or columbarium;
- A plat of the cemetery, burial ground, mausoleum, or columbarium including any lots, graves, niches, or crypts;
- The name and address of the person or persons representing the entity owning, operating, or maintaining the cemetery, burial ground, mausoleum, or columbarium;
- The inception date, if available;
- The abandonment date, if applicable and available;
- The number of human remains interred, entombed, or inurned

The registration may include the following information:

- The names and locations of individuals whose remains are interred, entombed or inurned; and
- Information regarding the history of the operation of the cemetery, burial ground, mausoleum, or columbarium

Explanation of amendments, if any:

The committee amendment (AM 2489) addresses several issues.

First, it corrects a misspelling. The plural of columbarium is columbaria, rather than columbariums.

The amendment changes the bill so that any information required in subdivision (b) for the registry regarding the operation and maintenance of a cemetery, burial ground, columbarium or mausoleum prior to January 1, 2005 is only required if it is reasonably available. This is to address concerns that some of this information, such as plats and number of remains, might be difficult to obtain for older locations.

The amendment also clarifies that the entity owning, operating or maintaining the cemetery, burial ground, mausoleum or columbarium, rather than the State Historical Society, determines whether or not to provide the names of individuals whose remains are interred, entombed, or inurned and historical information to the registry.

Finally, the amendment clarifies that the entity owning, operating or maintaining the cemetery, burial ground, mausoleum or columbarium, rather than the cemetery itself, must register every ten years following the initial registration.

Senator Ray Janssen, Chairperson