

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 1016
HOUSE BILL 332

AN ACT TO CREATE THE ADVISORY COMMITTEE ON ABANDONED CEMETERIES
AND TO PROVIDE FOR THE COLLECTION OF CEMETERY DATA IN NORTH
CAROLINA.

Whereas, there are thousands of cemeteries throughout the State of North Carolina which contain an important record of the historical and genealogical background of the men and women who played a vital role in the development of this State; and

Whereas, this information is recorded on tombstones and other grave markers, many of which are in danger of being destroyed through nature, neglect, vandalism, and other causes; and

Whereas, the 1977 General Assembly (Second Session, 1978), by passing Resolution 134 establishing the COMMITTEE FOR THE STUDY OF THE NEED FOR A COMPREHENSIVE STATEWIDE PROGRAM FOR THE LOCATION, IDENTIFICATION, AND PROPER CARE OF ABANDONED CEMETERIES, recognized that many cemeteries already have been obliterated and others are in imminent danger of destruction; and

Whereas, the COMMITTEE FOR THE STUDY OF THE NEED FOR A COMPREHENSIVE STATEWIDE PROGRAM FOR THE LOCATION, IDENTIFICATION, AND PROPER CARE OF ABANDONED CEMETERIES recommends to the General Assembly that the Division of Archives and History, Department of Cultural Resources, be authorized to take appropriate measures to record and permanently preserve information of significant historical and genealogical value found within endangered cemeteries; and

Whereas, there exists throughout the State strong support from the public and private sectors for a continuation and completion of the cemetery surveys begun as a result of the work conducted by the COMMITTEE FOR THE STUDY OF THE NEED FOR A COMPREHENSIVE STATEWIDE PROGRAM FOR THE LOCATION, IDENTIFICATION AND PROPER CARE OF ABANDONED CEMETERIES; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. A new Part is added to Article 2 of Chapter 143B of the General Statutes to read:

"Part 25. Advisory Committee on Abandoned Cemeteries.

§ 143B-126. Advisory Committee on Abandoned Cemeteries; members; selections; compensation; terms; vacancy; duties. — (a) There is created the Advisory Committee on Abandoned Cemeteries to be composed of 17 members appointed as follows:

- (1) two by the Governor;
- (2) one by the President of the Senate;
- (3) one by the Speaker of the House;
- (4) one by the Secretary of the Department of Cultural Resources;
- (5) one by the Executive Director of the North Carolina Commission of Indian Affairs, Department of Administration;
- (6) one each by the chief executive of the following organizations, from the membership of the organization:

- a. North Carolina Archaeological Council;
- b. North Carolina Association of County Commissioners;
- c. North Carolina Chapter of the Daughters of the American Revolution;
- d. North Carolina Chapter of the Society of the Cincinnati;
- e. North Carolina Chapter of the Sons of the American Revolution;
- f. North Carolina Genealogical Society;
- g. North Carolina Historical Commission;
- h. North Carolina League of Municipalities;
- i. Society of the Colonial Dames of America in the State of North Carolina;
- j. Sons of Confederate Veterans;
- k. United Daughters of the Confederacy.

(b) Members shall be appointed for staggered four-year terms beginning July 1 of odd-numbered years and shall serve until their successors are appointed and qualified. To create and maintain staggered terms, one member appointed by the Governor and the members appointed by the Speaker of the House, North Carolina Archaeological Council, North Carolina Chapter of the Daughters of the American Revolution, North Carolina Chapter of the Sons of the American Revolution, North Carolina Genealogical Society, North Carolina League of Municipalities, and the Sons of Confederate Veterans shall be appointed for two-year terms to expire June 30, 1983, at which time their successors shall be appointed pursuant to this section for four-year terms. The remaining committee members shall be appointed for four-year terms.

(c) Members shall serve without salary or compensation for their actual expenses resulting from the performance of their official duties.

(d) An appointment to fill a vacancy on the committee shall be made according to the procedures for appointment for regular terms, pursuant to this section. Any appointment to fill a vacancy on the committee for any reason shall be for the balance of the unexpired term.

(e) Upon its appointment the committee shall organize by electing from its membership a chairman and a vice-chairman. It shall be the duty of the committee to review existing statutes relating to cemeteries, make recommendations to the General Assembly concerning new statutes, and to assist the department in its efforts to collect information on abandoned cemeteries."

Sec. 2. There is appropriated from the General Fund to the Department of Cultural Resources, Division of Archives and History the sum of sixteen thousand dollars (\$16,000) for the fiscal year 1981-82 to be used (i) to administer the work on the Advisory Committee on Abandoned Cemeteries, (ii) to coordinate the collection and recording of pertinent information, such as the location, condition, and the historical genealogical significance of every cemetery in North Carolina in such a manner as to make said information permanently available to the public through the Division of Archives and History, Department of Cultural Resources, and (iii) to promote among North Carolinians a better understanding of North Carolina statutes pertaining to cemeteries in order to encourage their protection and preservation. An appropriation adequate for these purposes shall become a part of the continuation budget for the Department of Cultural Resources.

Sec. 3. There is appropriated from the General Fund to the Department of Public Education the sum of sixteen thousand dollars (\$16,000) for fiscal year 1981-82 to provide funds for the Yancey County Board of Education for a one-time special provision.

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 9th day of October, 1981.