

Regular Session, 2013

SENATE CONCURRENT RESOLUTION NO. 111

BY SENATOR DORSEY-COLOMB

CEMETERIES. Requests DHH and other entities take all appropriate action to identify and recognize persons interred in Gilbert Memorial Park.

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, Office of the Attorney General, and Louisiana Cemetery Board to take all appropriate action and work in conjunction as necessary to provide information identifying persons interred in Gilbert Memorial Park.

WHEREAS, Gilbert Memorial Park is a cemetery located on Greenwell Springs Road in Baton Rouge that served the North Baton Rouge community since the early twentieth century under the Baranco family through the 1980s; and

WHEREAS, Louisiana law requires the keeping of interment records and accurate maps of interments for all operating cemeteries in the state under R.S. 8:662 and 314; and

WHEREAS, the Louisiana Cemetery Board and the attorney general have undertaken an investigation of Gilbert Memorial Park from 2007 through 2012 which has identified incomplete interment records for the cemetery from at least 1990 through the present; and

WHEREAS, the investigation led directly to the removal of Mr. Lymus Washington as the operator of Gilbert Memorial Park by injunction in 2012 and the institution of a receivership for the cemetery by court order under the direction of People Achieving Community Empowerment, Inc., in 2013, to administer, manage, and oversee all affairs of the cemetery; and

1 WHEREAS, the lack of records kept by Mr. Washington during his tenure as the
2 operator of Gilbert Memorial Park has left many descendants with no information regarding
3 the final resting place of their loved ones; and

4 WHEREAS, the final resting places of anyone interred in Louisiana is required,
5 under R.S. 40:52 and La. Admin Code. tit. 48, pt. V, §12311, to be recorded on a burial
6 transit permit which is lodged and filed with the Vital Records Registry of the Office of
7 Public Health of the Department of Health and Hospitals; and

8 WHEREAS, many Louisiana death certificates, under R.S. 40:49 and La. Admin
9 Code. tit. 48, pt. V, §12307, issued by the Vital Records Registry of the Office of Public
10 Health of the Department of Health and Hospitals indicate the final resting place of the
11 deceased; and

12 WHEREAS, a compilation of such documents which indicate that Gilbert Memorial
13 Park is the final resting place of individuals will provide some measure of closure to many
14 descendants of those buried in that cemetery; and

15 WHEREAS, a compilation of such information will assist the receiver and any
16 subsequent operator of Gilbert Memorial Park in reconstructing the records of the cemetery;
17 and

18 WHEREAS, for these reasons it is necessary and appropriate that the Department of
19 Health and Hospitals, Office of the Attorney General, and Louisiana Cemetery Board take
20 all appropriate actions and work in conjunction as necessary to provide information
21 identifying persons interred in Gilbert Memorial Park.

22 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
23 urge and request the Department of Health and Hospitals to assist the attorney general, the
24 board, and any subsequent owner of the cemetery in compiling information appropriate and
25 necessary in reconstructing the records of the cemetery.

26 BE IT FURTHER RESOLVED that the Department of Health and Hospitals shall
27 also transmit information as appropriate to the Office of the Attorney General for the
28 purpose of determining whether further action by the attorney general is warranted regarding
29 Gilbert Memorial Park.

30 BE IT FURTHER RESOLVED that the Department of Health and Hospitals, Office

1 of the Attorney General, Louisiana Cemetery Board, and the state-appointed receiver
2 managing Gilbert Memorial Park shall work in conjunction to determine the most
3 appropriate and readily available means, including public service announcements and other
4 communications, to make information available to families and loved ones regarding persons
5 determined to be interred in Gilbert Memorial Park.

6 BE IT FURTHER RESOLVED that in order to facilitate and ensure maximum
7 community involvement and public participation in such communications, the department,
8 Cemetery Board, and attorney general shall consult on a regular basis and seek the advice
9 of a board, to be known as the Lillian Jackson Memorial Board, composed of the following
10 persons who shall serve without compensation or reimbursement for expenses:

11 (1) A member of the Senate who represents the area which encompasses Gilbert
12 Memorial Park, or his designee.

13 (2) A member of the House of Representatives who represents the area which
14 encompasses Gilbert Memorial Park, or his designee.

15 (3) The East Baton Rouge Parish mayor-president, or his designee.

16 (4) A member of the East Baton Rouge Metropolitan Council who represents the area
17 which encompasses Gilbert Memorial Park, or his designee.

18 (5) One member of the clergy appointed by a majority vote of the board members
19 provided in (1) through (4) herein.

20 (6) One family member of a loved one buried in Gilbert Memorial Park appointed
21 by a majority vote of the board members provided in (1) through (4) herein.

22 (7) One at-large member to be elected by a majority vote of the board members
23 provided in (1) through (6) from a list of individuals nominated by the board members
24 provided in (1) through (4) herein.

25 BE IT FURTHER RESOLVED that the Department of Health and Hospitals, Office
26 of the Attorney General, Louisiana Cemetery Board, and the state-appointed receiver
27 managing Gilbert Memorial Park are hereby urged and requested, in consultation with the
28 Lillian Jackson Memorial Board, to take all appropriate action on behalf of the state to
29 recognize, honor, and commemorate those interred in Gilbert Memorial Park, including the
30 acceptance of donations from any source in the form of money, materials, labor, and

1 maintenance for the purpose of erecting a commemorative marker in Gilbert Memorial Park.

2 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
3 secretary of the Department of Health and Hospitals, the attorney general, and the director
4 of the Louisiana Cemetery Board.

The original instrument was prepared by Michelle Ducharme. The following digest, which does not constitute a part of the legislative instrument, was prepared by Michael Bell.

DIGEST

Dorsey-Colomb

SCR No. 111

Requests the Department of Health and Hospitals ("DHH"), Office of the Attorney General, and La. Cemetery Board to take all appropriate action and work in conjunction as necessary to provide information identifying persons interred in Gilbert Memorial Park.

Provides that these entities and the state-appointed receiver managing Gilbert Memorial Park shall work in conjunction to determine the most appropriate and readily available means, including public service announcements and other communications, to make information available to families and loved ones regarding persons determined to be interred in Gilbert Memorial Park. To facilitate such communication and ensue maximum community involvement, creates the Lillian Jackson Memorial Board that shall consist of the following members:

- (1) A member of the Senate who represents the area which encompasses the park, or his designee.
- (2) A member of the House of Representatives who represents the area which encompasses the park, or his designee.
- (3) The East Baton Rouge Parish mayor-president, or his designee.
- (4) A member of the East Baton Rouge Metropolitan Council who represents the area which encompasses the park, or his designee.
- (5) One member of the clergy appointed by a majority vote of the board members provided in (1) through (4) herein.
- (6) One family member of a loved one buried in the park appointed by a majority vote of the board members provided in (1) through (4) herein.
- (7) One at-large member to be elected by a majority vote of the board members provided in (1) through (6) from a list of individuals nominated by the board members provided in (1) through (4) herein.

Provides that the members of the board shall serve without compensation or reimbursement for expenses.

Provides that the Department of Health and Hospitals, Office of the Attorney General, Louisiana Cemetery Board, and the state-appointed receiver managing Gilbert Memorial Park are hereby urged and requested, in consultation with the Lillian Jackson Memorial Board, to take all appropriate action on behalf of the state to recognize, honor, and commemorate those interred in Gilbert Memorial Park, including the acceptance of donations from any source in the form of money, materials, labor, and maintenance for the purpose of erecting a commemorative marker in Gilbert Memorial Park.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the original bill

1. Revises language relative to the Lillian Jackson Memorial Board as an advisory board.
2. Revises language relative to DHH to request it to assist the attorney general, the board, and any subsequent owner of the cemetery in compiling information appropriate and necessary in reconstructing the records of the cemetery.
3. Requests DHH, the Office of the Attorney General, the La. Cemetery Board, the state-appointed receiver, in consultation with the Lillian Jackson Memorial Board, to take all appropriate action on behalf of the state to recognize, honor, and commemorate those interred in Gilbert Memorial Park, including the acceptance of donations from any source in the form of money, materials, labor, and maintenance for the purpose of erecting a commemorative marker in Gilbert Memorial Park.