

ASSEMBLY BILL

No. 1779

Introduced by Assembly Member Pescetti

January 25, 2000

An act to add Chapter 4.5 (commencing with Section 8116) to Part 1 of Division 8 of the Health and Safety Code, relating to cemeteries.

LEGISLATIVE COUNSEL'S DIGEST

AB 1779, as introduced, Pescetti. Cemeteries.

Existing law regulates cemeteries, including public cemeteries. Existing law defines a public cemetery as a cemetery owned and operated by a city, county, city and county, or public cemetery district.

This bill would establish the California Pioneer Cemetery Commission with a specified membership appointed by the Governor, and prescribed duties related to pioneer cemeteries. The bill would define a pioneer cemetery as a public cemetery with six or more burial sites dating before January 1, 1901.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 4.5 (commencing with Section
2 8116) is added to Part 1 of Division 8 of the Health and
3 Safety Code, to read:
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CHAPTER 4.5. CALIFORNIA PIONEER CEMETERY
COMMISSION

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4 8116. (a) The California Pioneer Cemetery
5 Commission is hereby established.
6 (b) The commission shall consist of seven members
7 appointed by the Governor.
8 (c) Members shall hold office for a term of four years.
9 (d) Each member shall have knowledge and
10 background in cemetery maintenance and restoration or
11 background in service to a local historical society. At least
12 one member shall be a representative of an organization
13 of military veterans. At least one member shall be a
14 representative of an organization of the clergy.
15 8116.1. (a) The commission shall meet at the times
16 and in the places that it may deem necessary to fulfill its
17 responsibilities. Four members of the commission shall
18 constitute a quorum.
19 (b) The commission shall elect annually from its
20 members a chairperson and vice-chairperson.
21 (c) The members shall serve without compensation.
22 However, each member of the commission shall be
23 reimbursed for travel expenses incurred in the
24 performance of the member's duties while serving on the
25 commission.
26 8116.2. The commission shall have all of the following
27 duties:
28 (a) Resolve issues regarding the jurisdiction of pioneer
29 cemeteries and establish responsibility for the care of
30 these cemeteries.
31 (b) Create and maintain a state registry of pioneer
32 cemeteries. The registry information shall be available on
33 an Internet website accessible to the public.
34 (c) Explore opportunities to develop the Internet
35 website established pursuant to subdivision (b) into an
36 educational tool on California history and cemeteries.
37 (d) Provide guidance and support for local
38 organizations involved in pioneer cemetery restoration,
39 preservation, and protection.



1 (e) Make recommendations to the Legislature
2 regarding all of the following:

3 (1) Projects and funding to restore pioneer
4 cemeteries.

5 (2) How to clarify, unify, and strengthen existing laws
6 regarding pioneer cemeteries.

7 (f) Whether to create a historical landmark program
8 for pioneer cemeteries.

9 8116.3. For purposes of this chapter, “pioneer
10 cemetery” means a public cemetery with six or more
11 burial sites dating before January 1, 1901.

