

SENATE No. 2315

The Commonwealth of Massachusetts

SENATE, April 9, 2002.

The committee on Ways and Means, to whom was committed the Senate Bill relative to the identification, rehabilitation, maintenance, and protection of burial grounds and cemeteries located on any current or former state-owned lands at public facilities of the commonwealth, and for the establishment of the commonwealth public facilities burial ground and cemetery preservation fund (Senate, No. 1530), reports recommending that the same ought to pass with an amendment, substituting a new draft entitled "An Act relative to the identification of burial grounds and cemeteries on certain state-owned lands" (Senate, No. 2315).

For the committee,

MARK C. MONTIGNY.

The Commonwealth of Massachusetts

In the Year Two Thousand and Two.

AN ACT RELATIVE TO THE IDENTIFICATION OF BURIAL GROUNDS AND CEMETERIES ON CERTAIN STATE-OWNED LANDS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 The commissioner of capital asset management and mainte-
2 nance, in consultation with the commissioners of mental health,
3 mental retardation, public health and correction shall conduct an
4 investigation and study to identify, record, photograph and map
5 burial grounds, cemeteries and other grave sites located on current
6 or former state-owned public facilities now or formerly under
7 their jurisdiction and control to which the commonwealth retains
8 or can acquire without expense a right of re-entry. On or before
9 June 30, 2003, the commissioner of capital asset management and
10 maintenance shall, in consultation with the commissioners of
11 those departments, file with the secretary of administration and
12 finance and the chairmen of the joint committee on state adminis-
13 tration a report, together with maps, photographs and copies of
14 other documentation in the possession of the division of capital
15 asset management and maintenance or those departments detailing
16 the location of any such burial ground, cemetery or other grave
17 site. The report shall include a statement by the commissioner of
18 capital asset management and maintenance of the present condi-
19 tion of any such burial ground, cemetery or other grave site and
20 any action the division or departments have taken, are taking, and
21 will be taking to cleanup, rehabilitate, reconstruct, restore and
22 make accessible each such burial ground, cemetery or other grave
23 site. The report shall include a list of the names and grave or plot
24 numbers of all persons reported to be buried in the burial grounds,
25 cemeteries and other grave sites, a directory of the names and
26 grave stones or plot marker numbers of all persons who are known
27 to be buried in the burial grounds, cemeteries and other grave sites

28 and an inventory of the total number of existing grave stones or
29 plot marker numbers.

30 The report shall also include a detailed clarification by each of
31 those departments for any discrepancies found to exist between
32 the total number of persons known to be buried in the burial
33 grounds, cemeteries and other grave sites and the total number of
34 grave stones or plot marker numbers found there and the total
35 number of persons reported to have been buried in the burial
36 grounds, cemeteries and grave sites, if any, located on current or
37 former state-owned public facilities now or formerly under their
38 jurisdiction and control to which the commonwealth retains or can
39 acquire without expense a right of re-entry.

