

2018 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 51

BY REPRESENTATIVES BRASS, BACALA, BAGNERIS, BERTHELOT, BILLIOT, BOUIE, CHAD BROWN, CARMODY, CARPENTER, GARY CARTER, ROBBY CARTER, STEVE CARTER, COX, DAVIS, DUPLESSIS, FOIL, FRANKLIN, GAINES, GISCLAIR, GLOVER, GUINN, HALL, HUNTER, HUVAL, JAMES, JEFFERSON, JENKINS, JOHNSON, JORDAN, TERRY LANDRY, LYONS, MARCELLE, GREGORY MILLER, NORTON, PIERRE, RICHARD, SCHEXNAYDER, SMITH, STOKES, THIBAUT, WHITE, AND WRIGHT

BOARDS/COMMISSIONS: Creates the Slavery Ancestral Burial Grounds Preservation Commission

1 A CONCURRENT RESOLUTION

2 To create and establish the Slavery Ancestral Burial Grounds Preservation Commission to
3 study and develop measures to preserve and protect unmarked and historic burial
4 grounds, graves, and cemeteries of the formerly enslaved in Louisiana.

5 WHEREAS, preservation of the burial grounds and cemeteries of slaves is significant
6 because they represent not only an important part of the cultural heritage of Louisiana, but
7 America; and

8 WHEREAS, although most burial grounds and cemeteries of the formerly enslaved
9 contain unmarked graves, the research uncovered from these burial places reveals
10 information about how the people lived, their connections to each other and the surrounding
11 community of plantations, and most of all, their connections to the descendants living now;
12 and

13 WHEREAS, most records regarding burial grounds and cemeteries of the formerly
14 enslaved are limited to plantation inventories and incomplete census records; nevertheless,
15 these are sacred grounds that should be regarded as such; and

16 WHEREAS, the discovery of these grounds and cemeteries is instrumental in helping
17 families trace their family roots; moreover, it is important that these sacred spaces are

1 preserved and protected to ensure that the knowledge about the legacy of the enslaved and
2 free people who worked on the plantations is preserved for future generations; and

3 WHEREAS, the state of Louisiana acknowledges the humanity of all the people
4 buried in long-lost graves along the Mississippi River; and

5 WHEREAS, the state of Louisiana also acknowledges their contributions to the
6 economy and culture of this great state and this nation; and

7 WHEREAS, by acknowledging and protecting these sites, we are presenting a
8 meaningful way to better understand the reality of slavery, which will hopefully give us a
9 better understanding of the heritage and history of our friends, colleagues, and neighbors.

10 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
11 create the Slavery Ancestral Burial Grounds Preservation Commission to study and develop
12 measures to preserve and protect unmarked and historic burial grounds, graves, and
13 cemeteries of the formerly enslaved in Louisiana.

14 BE IT FURTHER RESOLVED that the commission shall be comprised of
15 representatives assigned from relevant and interested state agencies and other relevant and
16 interested parties, including but not limited to all of the following:

17 (1) Two members from the office of cultural development within the Department
18 of Culture, Recreation and Tourism, in the office of the lieutenant governor:
19 the state archaeologist and the director of the division of historic
20 preservation.

21 (2) One member of the Louisiana House of Representatives appointed by the
22 speaker of the House of Representatives.

23 (3) One member of the Louisiana Senate appointed by the president of the
24 Senate.

25 (4) The chair of the Louisiana Legislative Black Caucus or his designee.

26 (5) The executive director of the Louisiana Sheriff's Association or his designee.

27 (6) The chair of the Louisiana Cemetery Board or his designee.

28 (7) The executive director of Save Our Cemeteries or his designee.

29 (8) The president of the Le Comité des Archives de la Louisiane, Inc. or his
30 designee.

- 1 (9) The president of the National Association for the Advancement of Colored
2 People (NAACP) or his designee.
- 3 (10) The chair of the Baton Rouge Metropolitan Black Chamber of Commerce or
4 his designee.
- 5 (11) One representative of the office of research and strategic initiatives of the
6 Southern University and Agricultural and Mechanical College.
- 7 (12) One representative of the office of research and strategic initiatives of the
8 Nicholls State University.
- 9 (13) The United States Representative for Louisiana's 2nd congressional district
10 or his designee.
- 11 (14) The attorney general or his designee who is an attorney.
- 12 (15) The State Superintendent of Education or his designee.
- 13 (16) The governor or his designee.
- 14 (17) One representative of the River Road African American Museum.
- 15 (18) Two representatives of the American Sugar Cane League.
- 16 (19) One representative of the Louisiana Association of Business and Industry.
- 17 (20) One representative of the Louisiana Chemical Association.
- 18 (21) One representative of Louisiana Mid-Continent Oil and Gas Association
19 designated by the president of the association.
- 20 (22) One representative of the Ascension Parish Tourism Commission.
- 21 (23) One representative of the Iberville Tourist Commission.
- 22 (24) Three representatives of the River Parishes Tourist Commission representing
23 St. Charles Parish, St. James Parish, and St. John the Baptist Parish,
24 respectively.
- 25 (25) One owner of a plantation in the river parishes appointed from a list of three
26 nominees submitted by the River Parishes Tourist Commission.
- 27 (26) Three representatives of the general public who have demonstrated a
28 commitment to the preservation and protection of historic cemeteries
29 appointed from a list of five nominees submitted by Save Our Cemeteries.
- 30 (27) The president of the National Urban League or his designee.

1 BE IT FURTHER RESOLVED that the commission is assigned to the office of the
2 lieutenant governor with staff support to be provided from existing personnel within the
3 office.

4 BE IT FURTHER RESOLVED that, at the first meeting of the commission, the
5 members may elect a chairman, vice chairman, and other officers as they may deem
6 appropriate.

7 BE IT FURTHER RESOLVED that the commission shall be domiciled in Baton
8 Rouge but may hold public meetings elsewhere in the state.

9 BE IT FURTHER RESOLVED that the commission shall meet as necessary and
10 shall serve without compensation and at no expense to the state.

11 BE IT FURTHER RESOLVED that member vacancies shall be filled in the same
12 manner as the original appointments.

13 BE IT FURTHER RESOLVED that the purpose of the commission shall be to create
14 a written report of existing local, state, and federal cemetery protection laws to determine
15 rules and regulations for the identification, protection, and preservation of such grounds and
16 cemeteries and to make suggestions for additional laws to protect these sacred sites to the
17 House Committee on Commerce and the Senate Committee on Commerce, Consumer
18 Protection, and International Affairs on or before the end of the sixth month following the
19 commission's first meeting.

20 BE IT FURTHER RESOLVED that the commission shall submit a second written
21 report to the House Committee on Commerce and the Senate Committee on Commerce,
22 Consumer Protection, and International Affairs on or before the end of one year following
23 the release of the first report. This second report shall consist of the commission's findings
24 and recommendations, including proposed legislation if necessary and reasons therefore, on
25 each of the following:

- 26 (1) A cost-effective mechanism for cataloging unmarked and historic burial
27 grounds, graves, and cemeteries of slaves in Louisiana.
- 28 (2) Measures designed to protect the location of these sites from desecration.

29 BE IT FURTHER RESOLVED that the commission shall submit a third written
30 report to the House Committee on Commerce and the Senate Committee on Commerce,
31 Consumer Protection, and International Affairs on or before the end of one year following

1 the release of the second report. This third report shall consist of the commission's findings
2 and recommendations, including proposed legislation if necessary and reasons therefore, on
3 each of the following:

4 (1) Funding sources for the preservation and protection of these sites in
5 conjunction with the River Road African American Museum.

6 (2) Methods for incorporating findings into educational history for students in
7 kindergarten through twelfth grade.

8 (3) Strategies for incorporating historical sites as tourist attractions in this state.

9 BE IT FURTHER RESOLVED that the commission may form any number and
10 configuration of committees to accomplish the goals set forth herein.

11 BE IT FURTHER RESOLVED that a suitable copy of this Resolution be transmitted
12 to the appointing entities named in this Resolution.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HCR 51 Reengrossed

2018 Regular Session

Brass

Creates the Slavery Ancestral Burial Grounds Preservation Commission to study and develop measures to preserve and protect unmarked and historic burial grounds, graves, and cemeteries of the formerly enslaved in the state of La.

Requires the commission to submit three reports of its findings to the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection, and International Affairs, the first on or before the end of the sixth month following the commission's first meeting, the second on or before the end of one year following the release of the first report, and the third on or before the end of one year following the release of the second report, respectively.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the original resolution:

1. Replace the director of the office of cultural development with the director of the division of historic preservation as a member of the commission.
2. Replace the president of the National Assoc. for the Advancement of Colored People (NAACP) Baton Rouge branch with the president of the NAACP as a member of the commission.
3. Add the president of the National Urban League or his designee to the commission.

4. Delete provision designating the state archaeologist and director of the office of cultural development as chair of the commission and provide for election of a chairman.
5. Change deadline for the submission of a report to the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection, and International Affairs from Feb. 1, 2019, to within six months of the commission's first meeting.
6. Add requirements that the commission present two additional reports to the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection, and International Affairs.
7. Add provision authorizing the commission to form any number and configuration of committees.

The House Floor Amendments to the engrossed bill:

1. Add one representative of the office of research and strategic initiatives of the Nicholls State University to the commission.
2. Add the U.S. Representative for Louisiana's 2nd congressional district or his designee to the commission.
3. Add one representative of La. Mid-Continent Oil and Gas Assoc. designated by the president of the association to the commission.
4. Add St. Charles Parish to list of parishes represented by representatives of the River Parishes Tourist Commission on the commission.