



JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL

State of Louisiana

DEPARTMENT OF JUSTICE

P.O. BOX 94005

BATON ROUGE

70804-9005

JUN 23 2011
OPINION 10-0280

Lucy L. McCann, Director
Louisiana Cemetery Board
3445 North Causeway Boulevard
Suite 700
Metairie, LA 70002

8-A-3 CEMETERIES

Act 707 of 2010
La. R.S. 8:671, *et seq.*; 25:931, *et seq.*
La. Atty. Gen. Op. Nos. 08-0135

Act 707 of the 2010 Regular Session of the Louisiana Legislature does not change the conclusions reached by this Office in La. Atty. Gen. Op. No. 08-0135.

Dear Ms. McCann:

You have requested an opinion of this Office regarding the impacts, if any, of Act 707 of the 2010 Regular Louisiana Legislative Session ("Act 707")¹ on the conclusions set forth in La. Atty. Gen. Op. No. 08-0135 regarding the jurisdiction and the obligations of the Louisiana Cemetery Board ("LCB") and the Louisiana Division of Archaeology ("the Division").

In La. Atty. Gen. Op. No. 08-0135, we examined, in great detail, the interaction of the LCB and the Division under the general cemetery law (Title 8 of the Revised Statutes) and the Louisiana Unmarked Human Burial Sites Preservation Act (La. R.S. 8:671, *et seq.*). Act 707 does not change any of the opinions expressed in La. Atty. Gen. Op. No. 08-0135. In fact, if anything, Act 707 merely confirms the opinions that we expressed regarding the protection of cemeteries in Louisiana and the jurisdictional relationships of the LCB and the Division.

We hope this sufficiently answers your inquiry; however, if we may be of further assistance please do not hesitate to contact our Office.

Sincerely yours,

JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL

By:


RYAN M. SEIDEMANN
Assistant Attorney General

JDC/RMS/tp

cc: Charles R. "Chip" McGimsey, Ph.D., Louisiana State Archaeologist

¹ Act 707 is codified at La. R.S. 25:931, *et seq.*

RECEIVED

JUN 27 2011

LOUISIANA
CEMETERY BOARD