

LEGISLATIVE BILL 129

Approved by the Governor April 7, 1975

Introduced by Hasebrook, 18

AN ACT relating to county government and officers; to provide for maintenance of abandoned and neglected pioneer cemeteries; to define terms; to authorize expenditures of county funds; and to provide for markers as prescribed.
Be it enacted by the people of the State of Nebraska,

Section 1. The county board shall expend money from the general fund of the county for the preservation and maintenance of an abandoned and neglected pioneer cemetery when petitioned to do so by thirty-five adult residents of the county.

Sec. 2. For purposes of this act, an abandoned and neglected pioneer cemetery shall be defined according to the following criteria:

(1) Such cemetery was founded, or the land upon which such cemetery is situated was given, granted, donated, sold, or deeded to the founders of the cemetery prior to January 1, 1900;

(2) Such cemetery contains the grave or graves of a person or persons who were homesteaders, immigrants from a foreign nation, prairie farmers, pioneers, sodbusters, first generation Nebraskans, or Civil War veterans; and

(3) Such cemetery has been generally abandoned and neglected for a period of at least twenty years.

Sec. 3. Care given to such cemetery by a county under this act may include the removal of shrubbery, trees or brush, the erection of adequate fences, the planting of grass, flowers, trees, and shrubbery, repair and uprighting of tombstones and gravemarkers, and any other care normally accorded to cemeteries.

Sec. 4. Any county affected by this act shall provide for one mowing annually of such cemetery within a period of two weeks prior to Memorial Day. Within five years after maintenance and preservation of such cemetery is commenced by such county, a historical marker giving the date of the establishment of the cemetery and a short history of the cemetery shall be placed at the site of such cemetery. One directional marker showing the way to

such cemetery may be placed on the nearest state highway to such cemetery.

Sec. 5. Expenditures of any county board affected by this act shall not exceed two hundred dollars per cemetery in any one year, except that such county board may expend up to five hundred dollars per cemetery during the first year the maintenance is assumed by such county. An amount not to exceed five hundred dollars may be spent by such county in addition to the sum expended on annual maintenance in the year that the prescribed historical marker and directional sign are erected.