

SB624- Relocation of Human Remains-Authorization Process-FAV

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I am on the boards of both the Anne Arundel Genealogical Society and the Coalition to Protect Maryland Burial Sites. When descendants or other interested parties such as legal investigators, those who work with estate issues, and family members or historians attempt to find a cemetery or individual formerly buried in that cemetery but they are no longer in their original location, there is no way for them to know where to start their search.

There is a severe lack of oversight related to disinterment and reinterment of human remains from one cemetery to another site outside that cemetery. Human remains moved within the same cemetery require no permit. Funeral homes, county health departments, and county state attorneys' offices all sign off on these permits, but most do not keep copies of the permits once the move has been completed. Reinterments from private family cemeteries to commercial cemeteries or memorial gardens are not routinely listed as reinterments or from where and may not allow the tombstone to be moved as well as the remains.

There are many instances when burials have been moved elsewhere. Moves may be due to family members or other persons of interest wanting loved ones moved closer to where they now live or groups with cultural affiliations wanting to act as the responsible party. Other times, the move is by a government agency desiring to add developments or roadways.

At each step, there should be oversight:

- There should be a clear purpose for the request
- There should be documented attempts to notify family of the intentions
- There should be specifics in newspaper notification stating the authorization, tax map, parcel number with liber and folio, the names of those being moved if known, and the final disposition of those remains
- There should be notice posted prominently at the cemetery
- Disinterment should be overseen by an archaeologist, mortician, cemeterian, religious leader, or other qualified individual
- The body/bodies should be required to be reinterred in a perpetual care cemetery or another cemetery with the agreement of a person of interest
- State attorneys' approval should be required beforehand assuring all requirements have been met
- The location of the reinterment should be entered into an approved burial site inventory or other area approved by the Office of Cemetery Oversight
- Disinterments should be postponed for at least a year if there is a major objection.
- Violation of the above should be subject to fines administered by the Office of Cemetery Oversight and the funds used to assist abandoned and neglected cemeteries

At present, the Maryland Office of Vital Records holds one small box of disinterments/reinterments. The Maryland State Archives has two small boxes with jumbled records for various counties and time periods mixed together.

I believe these are important issues that need evaluation. I look forward to your support of this bill.