

Helen Shaw  
Rockport; chair Ad hoc Committee to Review State Cemetery Laws

My name is Helen Shaw. I live in Rockport. I am a member of, and legislative liaison for, the Maine Old Cemetery Association, a member of the Association for Gravestone Studies, and a member of the Cemetery Committee for the town of Rockport.

Today I am here as chair of the Ad hoc Committee to Review State Cemetery Laws which was formed in 2013 to review Maine cemetery laws and make suggestions for changes. The committee grew out of the Stakeholder Group for the Development of a Plan for the Inventory and Proper Care of Veterans' Graves and is composed of representatives from the Maine Genealogical Society, the Maine Old Cemetery Association, and the Maine Cemetery Association. Also on the committee is a retired director of the Bureau of Maine of Veterans' Services. The committee thanks Senator Miramant for sponsoring this bill for us.

Cemeteries contain the remains of our ancestors, our neighbors, our friends, and strangers to the community. The iconography on grave markers represents the changing religious and cultural beliefs of the people in the community. Grave markers can be a pronouncement of economic and social status of the deceased as well as the community. Cemeteries reflect the history of the community. They are works of art that convey information about individuals and families that may not be available elsewhere. As works of art, they are the historical archives of stone carvers. Gravestones tell stories over time, in their material, their form, and their iconography. But they also tell stories by the text on them. Gravestones tell stories; they are history; they are works of art. In particular, the maintenance and preservation of the graves of veterans is required by state law as the last and continuing honor we owe them as citizens of the country for which they served and sacrificed. The preservation of Maine's cemeteries, no matter their age, is paramount.

The concept of a State Cemetery Commission grew out of the frustration of stakeholders to accomplish much in the way of changing Maine laws to better protect and preserve burying grounds and cemeteries and to allow family members and descendants access to the graves of their loved ones.

Despite the efforts of the Maine Old Cemetery Association, the Maine Cemetery Association, veterans groups, and other stakeholders to educate the municipal officials and the public, many municipal officials and property owners remain ignorant of state laws regarding burying grounds and cemeteries, leading to disputes and even confrontations and legal battles between the parties to the detriment of cemeteries.

What you see before you in LD 379 is a revision that removed the names of the permanent members of the Maine State Cemetery Commission, specifically two of the groups that have worked so hard for decades to preserve and protect burying grounds and cemeteries, who have been the voice of cemetery preservation to municipalities and cemetery stakeholders throughout Maine. I have been told that names of specific organizations are not included in statutes. In response to this I suggest the following changes to LD 379:

In sub-section 1. Permanent members:

A. Two members from the Maine Old Cemetery Association, appointed by its board of directors, or in the case of their disbandment, two members representing a statewide association dedicated to the preservation of neglected cemeteries, appointed by its board of directors.

B. Two members from the Maine Cemetery Association, appointed by its board of directors, or in the case of their disbandment, two members representing a statewide association of cemetery directors and supervisors, appointed by its board of directors.

A state cemetery commission needs to have teeth, the authority to educate and advise municipalities and property owners; to have the power of the state behind it and to have the respect of legislative committees and officials. To that end I suggest the following change of wording:

Under sub-section 3 Duties, The cemetery commission shall:

You may wonder why an independent cemetery commission is proposed rather than

to establish a commission under the Maine Historical Preservation Commission. That Commission was established in 1971 to “preserve the architectural, historic and environmental heritage of the people of the state, and to develop and promote the cultural, educational and economic benefits of these resources.” Its responsibilities are very different from those proposed in LD 379 for a Maine State Cemetery Commission. States such as Rhode Island, Alabama, Oregon, and North Carolina have independent commissions for the preservation and protection of historic cemeteries. A similar commission in Texas is committee of the Texas Historical Commission. Maine has a robust network of associations that have worked to preserve and protect burying grounds and cemeteries for decades, LD 379 would use that base to bring into existence a commission that would “facilitate the identification and preservation of burying grounds and cemeteries located throughout Maine.”

I ask you to vote the LD 379 ought to pass.