

HORROR STORIES

An oversight office to monitor the state's cemeteries is overdue

Neglected or mismanaged private cemeteries are an increasing problem statewide. The Odd Fel-

lows Cemetery in Smyrna had to appoint a committee to assume operation following the indictment of a former trustee accused of stealing \$175,000 from the cemetery's perpetual care fund. The Lombardy Ceme-

tery, on Concord Pike off Foulk Road in New Castle County, is under control of the attorney general since the state sued its owner for consumer fraud. A case to determine final ownership is in Chancery Court.

And last week another chapter in the beleaguered history of Riverview Cemetery, on North Market Street in Wilmington, unfolded when officials failed to find the burial vault of a man interred there in 1998. The attorney general's office of consumer affairs also is involved in that case.

These incidents involving private cemeteries and relatives of the deceased have come to light only in the past few years. That prompted state Sen. Harris McDowell III, D-Wilmington North, to form a task force to study regulation of the cemetery business. Proposals so far call for establishing a state Office of Cemetery Oversight within the Department of Health and Social Services, similar to Maryland's office created in 1997.

Draft legislation, patterned after Maryland's, would require each of Delaware's more than 200 cemeteries to be licensed and carry at least \$10,000 in trust in a perpetual care fund. That sum might be too low. So far church cemeteries and those run by the government or veterans groups would not be included. But considering the scores of small church-owned cemeteries, some in parishes that no longer have active congregations, Sen. McDowell should consider including them in legislation.

As relatives of those interred in cemeteries such as Lombardy raise questions about maintenance, it is clear there might be a larger statewide problem with small, privately owned cemeteries. Sen. McDowell's legislation is needed. He should make sure all contingencies and modern-day developments are covered. Other lawmakers and Gov. Minner should support it.

WHERE WE STAND

The General Assembly and Gov. Minner should support legislation creating an Office of Cemetery Oversight.