

|                      |                                 |           |
|----------------------|---------------------------------|-----------|
| <b>Act Number:</b>   | 09-005                          |           |
| <b>Bill Number:</b>  | 5138                            |           |
| <b>Senate Pages:</b> | 1261, 1480-1481                 | <b>3</b>  |
| <b>House Pages:</b>  | 1584-1591                       | <b>8</b>  |
| <b>Committee:</b>    | Veterans: 12-19, 43-58, 118-130 | <b>37</b> |
|                      | <b>Page Total:</b>              | <b>48</b> |

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**CONNECTICUT  
GENERAL ASSEMBLY  
SENATE**

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md  
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Thank you, Mr. President. Calendar 452, PR.

Calendar 453, PR.

Calendar 454, House Bill Number 6235, Mr.

President, I move to refer this item to the Committee on Public Safety and Security.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. Calendar 455, PR.

Calendar 456, PR.

Calendar 457, PR.

Calendar 458, PR.

Moving to calendar page 30, Calendar 459, House Bill Number 5138, Mr. President, I move to place this item on the Consent Calendar.

THE CHAIR:

There is a motion on consent. Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. Calendar 460 is PR.

Calendar 461, House Bill Number 6406, Mr.

President, I move to place this item on the Consent Calendar.

THE CHAIR:

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**CONNECTICUT  
GENERAL ASSEMBLY  
SENATE**

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Calendar 409, Senate Bill 1013.

Calendar page 23, Calendar 423, Substitute for  
Senate Bill 1010.

Calendar page 27, Calendar 443, Substitute Senate  
Bill 1149; Calendar 447, Senate Bill 673; Calendar  
448, Senate Bill 1029.

Calendar page 30, Calendar 459, House Bill 5138;  
Calendar 461, House Bill 6406; Calendar 462,  
Substitute for House Bill 6537.

Calendar page 39, Calendar Number 81, Substitute  
for Senate Bill 760; Calendar 83, Senate Bill 762;  
Calendar 99, Senate Bill 787.

Calendar page 40, Calendar 119, Substitute for  
Senate Bill 778.

Calendar page 43, Calendar 171, Senate Bill 251.

Calendar page 46, Calendar Number 266, Senate  
Bill Number 382.

Calendar page 51, Calendar Number 356.

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Mr. President, I believe that completes those  
items previously placed on the first Consent Calendar.

The Senate is now voting by roll call on the  
Consent Calendar, will all Senators please return to  
the chamber. The Senate is now voting by roll call on  
the Consent Calendar, will all Senators please return

to the chamber.

THE CHAIR:

The machine is open.

Members, please check the board to see if your vote is properly cast and properly recorded. If all members have voted, the machine will be locked.

Would the Clerk please take a tally.

THE CLERK:

Motion is on adoption of Consent Calendar Number 1. Total number voting, 35; those voting yea, 35; those voting nay, 0; those absent/not voting, 1.

THE CHAIR:

Consent Calendar 1 is passed.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, the two items that appeared on Senate Agenda Number 3, have just been passed on the Consent Calendar. I would move that the first item from Senate Agenda Number 3, House Bill 6716, the emergency certified bill, I move for immediate transmittal of that item to the Governor.

THE CHAIR:

Motion is for immediate transmittal to the

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THE CLERK:

In the House of Representatives is voting by roll call. Members to the chamber. The House is voting by roll call. Members to the chamber, please.

SPEAKER DONOVAN:

Have all the members voted? Have all the members voted? Members please check the board to determine if your vote has been properly cast. If all the members have voted, the machine will be locked and the Clerk will take a tally. Will the Clerk please announce the tally.

THE CLERK:

|                             |     |
|-----------------------------|-----|
| House Bill 6301.            |     |
| Total Number Voting         | 134 |
| Necessary for Passage       | 68  |
| Those voting Yea            | 134 |
| Those voting Nay            | 0   |
| Those absent and not voting | 17  |

SPEAKER DONOVAN:

The bill is passed.

Will the Clerk please call Calendar 361.

THE CLERK:

Page 23 Calendar 361, House Bill 5138, AN ACT  
CONCERNING THE PLACEMENT OF UNITED STATES FLAGS ON THE



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GRAVES OF VETERANS, favorable report of the Committee  
on Public Health.

SPEAKER DONOVAN:

Representative Nicastro.

REP. NICASTRO (79th):

Good afternoon, Mr. Speaker.

SPEAKER DONOVAN:

Good afternoon, Representative.

REP. NICASTRO (79th):

Happy Easter.

Mr. Speaker, I move for acceptance of the joint  
committee's favorable report, and the passage of the  
bill.

SPEAKER DONOVAN:

The question is on acceptance of the joint  
committee's favorable report and passage of the bill.  
Will you please proceed?

REP. NICASTRO (79th):

Mr. Speaker, the Clerk has an amendment, LCO  
5639. I would ask the Clerk to please call the  
amendment and that I be granted leave to the Chamber  
to summarize.

SPEAKER DONOVAN:

Will the Clerk please call LCO 5639, which will

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be designated House Amendment Schedule A.

THE CLERK:

LCO Number 5639, House A, offered by  
Representatives McCluskey and Olson.

SPEAKER DONOVAN:

Representative seeks leave of the chamber to summarize the amendment. Is there objection to summarization? Is there objection to summarization? Hearing none, Representative, you may proceed with summarization.

REP. NICASTRO (79th):

Thank you, Mr. Speaker.

In regards to the amendment and very simply put, in line 10, after "of" we want to insert the word "United States." Basically, we're talking about the flag of the United States and we'd like to insert that amendment. And I ask for approval -- I ask for adoption, Mr. Speaker.

SPEAKER DONOVAN:

The question before the chamber is adoption of House Amendment Schedule A. Will you remark on the amendment? Well you remark on the amendment? Will you remark further on the amendment before us? If not, I will try your minds. All those in favor of the

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amendment, please signify by saying, aye.

REPRESENTATIVES:

Aye.

SPEAKER DONOVAN:

All those opposed, nay.

The ayes have it. The amendment is adopted.

Will you remark further out the bill as amended?

REP. NICASTRO (79th):

Thank you, Mr. Speaker. Mr. Speaker, for oh, too long, the veterans of this country that have served and made the supreme sacrifice, you know, I think that we've been, not us personally, but many times, been neglectful in honoring those who have fallen.

If you go throughout the state of Connecticut, you'll see flags that are placed in cemeteries. But sad to say, in many cemeteries throughout our great state, you'll see flags up for a very short period of time, sometimes like Memorial Day weekend. Then the flags are taken down. Our veterans deserve a heck of a lot more than that. If they're willing to place their life on the line, their lives on the line, and they make that supreme sacrifice in the line of duty or after they've retired, we've got to show that we respect that. I know I can speak in my city, the

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flags fly 365 days a year, 24 hours a day. In a lot of cities, Mr. Speaker, they don't.

What this bill would allow, this bill would say that the weekend before Memorial Day, that these flags will be placed on the graves of our veterans and they would be allowed to fly through July 4th, at least, allowing the flag there for a month. Mr. Speaker, that's the least that we can do for the men and women who have made that supreme sacrifice, who will continue to make that supreme sacrifice and those who have gone on because of age.

I would strongly urge -- I'd ask my colleagues to -- for adoption of this bill. It's the least we can do for our men and women of the Armed Forces. Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative. Will you remark further on the bill as amended? Remark further on the bill as amended? Representative Noujaim.

REP. NOUJAIM (74th):

Good afternoon, Mr. Speaker.

SPEAKER DONOVAN:

Good afternoon, Representative.

REP. NOUJAIM (74th):

Mr. Speaker, I rise in very, very strong support of this wonderful bill. Mr. Speaker, in Waterbury, we have veteran groups who are very, very active, supporting their cause and supporting the fact that they have sacrificed a great deal for the freedom that we enjoy in this country of ours. Some of them gave the ultimate sacrifice.

The veterans of Waterbury came to me and requested me to introduce this bill. I came to see Representative Graziani and the bill came before a public hearing. Several members of the veterans community in Waterbury came to the heart, to Hartford to the capital, to testify in support of this. Representative Nicastro was very strong in his support, so did Representative Graziani and Senator Maynard and the entire committee. The bill did pass unanimously and I am truly, truly honored that we are able to bring it here before us today and we vote on it. So I really appreciate your consideration, your time, Mr. Speaker, and Mr. -- Representative Graziani and Representative Nicastro, as well. And I urge strong support of this bill. Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative. Chair of the Veterans

Committee, Representative Graziani.

REP. GRAZIANI (57th):

Thank you, Mr. Speaker. Mr. Speaker, I'd just like to acknowledge our Vice Chair to bringing this important issue to our committee. We had public hearings, the cemetery associations appeared in front of us and everybody was good with it, but let me share something about Frank, if anybody doesn't know. He presided over 4,000 funerals, plying taps. And if that isn't heart-wrenching and if that doesn't reach the heart, nothing will. So Frank, I want to thank you and I want to thank the committee members as well. Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Remark further on the bill as amended? Will you remark further on the bill as amended? If not, staff and guests please come to the well of the House. Members take their seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll call. Members to chamber. The House is voting by roll call. Members to chamber please.

SPEAKER DONOVAN:

Have all the members voted? Have all the members voted? Members, please check the board to make sure your vote has been properly cast. If all of the members have voted, the machine will be locked. The Clerk will please a tally. Will the Clerk please announce the tally?

THE CLERK:

House Bill 5138, as amended by House A.

|                             |     |
|-----------------------------|-----|
| Total Number Voting         | 140 |
| Necessary for Passage       | 71  |
| Those voting Yea            | 140 |
| Those voting Nay            | 0   |
| Those absent and not voting | 11  |

SPEAKER DONOVAN:

The bill as amended is passed.

REP. MERRILL (54th):

Mr. Speaker.

SPEAKER DONOVAN:

Representative Merrill.

REP. MERRILL (54th):

Thank you, Mr. Speaker. I make a motion to suspend our rules for the immediate consideration of House Joint Resolution Number 118.

SPEAKER DONOVAN:

**JOINT  
STANDING  
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**SELECT  
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I'm sure that we'll hear later on from, perhaps, Commissioner Schwartz and alike, how detrimental it would be for our veterans if, in fact, we rolled benefits. Because, obviously, the economic climate really should -- really shouldn't come into a major factor when we're dealing with veterans and those who serve their country, men and women. Because, obviously, now I see from your testimony, war on terrorism, and who knows when that will ever stop.

There's no end in sight as more and more men and women being deployed on multiple tours. Suicidal rates have gone up. I don't have to tell anyone in this room and the litany of the problems that our men and women are facing, not only physically but also psychologically. I just gave myself the three minute ring.

[Laughter]

REP. GRAZIANI: But I'm overruling myself on this. But anyway, thank you for your testimony, both of you. And we'll see, obviously, what we can do because we will fight for everything that we can do for our veteran population. Thank you very much.

CHRISTOPHER WATKINS: Thank you very much, Mr. Chairman.

REP. GRAZIANI: Next, we'll here from Representative Noujain of the 74th District.

REP. NOUJAIN: Good afternoon, Representative Graziani, Senator Maynard, Representative Harkins and members of the committee.

For the record, my name is Selim Noujain, and I'm honored to be the representative from the 74th District. We call it the proud east end of Waterbury. I would hope that you can visit us

HB 5138

HB 5141

HB 6086

HB 5070

sometime.

I would like to appear before you today in support of four raised bills, 51-38, an act concerning the placement of United States flags on veterans' graves; 51-41, an act concerning an exemption from personal income tax for veterans pension; 60-86, an act concerning retirement credit for state and municipal employees veterans; and 50-70, and this bill is sponsored by the entire Waterbury delegation, an act concerning the property tax exemptions for surviving parents of servicemen or veteran.

Behind me, I have several members of the Waterbury community who are veterans. And the veterans in Waterbury are a very, very strong community. And we do appreciate all of the support that they have provided to our country. I realize, Senator Maynard and Representative Graziani, that all of those bills have a fiscal note. I also realize that we are in very difficult economic conditions this year, probably for the next couple of years or so, but it's always time to raise those bills, talk about them, discuss them and bring them to the forefront so, hopefully, in the future, as we go along, we'll be able to allocate some funds for them.

I always say that thank God for our veterans because if they did not do what they did, we would not have the freedom that we enjoy in this country. As a matter of fact, one of the veterans in here behind me, Mr. Joseph Nolan, his son Sgt. Joseph Nolan gave the ultimate sacrifice in Iraq three years ago, and Mr. Nolan was also would be testifying.

I'd like to mention one thing in reference to 51-38, an act concerning the placement of United States flags on veterans' graves. I did receive -- after this bill was raised, I received

several phone calls and three letters from cemetery associations. Those cemetery associations told me that it would be very inconvenient for them to have the bill approved as presented. They said when they tried to clean up, when they tried to go in and do the landscaping for the cemeteries, it is burdensome for them to have those flags. And they don't know which flags are placed by veterans and which flags are placed by families. So the flags that are placed by veterans, sometimes could be removed after the event takes place, after memorial day; however, the flags that are presented -- that are put on by families are usually left until the flags are no longer in conditions to remain in the cemetery, and that's when they have to be removed and taken down to a VFW place to be discarded accordingly.

So what they are asking us to do is to modify this bill, accordingly. And I hope they are here to testify so that we can bring forward a real good bill that would be of interest, would be of benefit to everybody. But I ask your support and your indulgence, and thank you so much for giving me the time to appear before you. And I'm happy to answer any questions you might have.

REP. GRAZIANI: Thank you, representative, and thank you to all of those who are here, particularly, to our distinguished guest whose son was killed in service. We thank you for your presence here and for his honorable service, and for all the great veterans of Waterbury. One of the great towns that has a storied history in service to our country.

Are there questions for Representative Noujain?

Yes, the vice chairman, Representative Nicastro.

REP. NICASTRO: Thank you, Mr. Chairman.

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Good morning, sir.

REP. NOUJAIN: Good morning, Representative Nicastro.  
How are you?

REP. NICASTRO: I am fine.

REP. NOUJAIN: You look young as ever, governor.

REP. NICASTRO: What's he looking for? My question, I represent Bristol. I represent all the people of the whole state, but I come out of Bristol, and we have the fifth largest veterans' population in the state. Yet -- we're the tenth largest city, but we have the fifth largest veteran population. If I remember right, our flags fly all year long in our cemetery. If I had my way, I don't see why we couldn't have them fly all year long. When a veteran passes on, he meets with an untimely, you know, death, like this gentleman's son, and/or due to age, you know, like my dad a few years ago, the flags are placed there by the American Legion. And that flag is still there right now, and I guess I'm wondering is there something that permits it -- prohibits it from being there all year?

REP. NOUJAIN: To the best of my knowledge, Representative, there is not, no. But what happens is many times and according to what was written to me by the cemetery association is sometimes, and, unfortunately, due to the elements, the flags get to be in a very bad shape, physically. So what they tried to do is they tried to remove them and have them discarded accordingly at a VFW function. But they're not talking about the flags that are flying on the pole. They're talking about the flags that usually people come in and they put right -- they put right at the grave, the gravesite. And when they come in to do the maintenance of the -- the lawn maintenance and trimming the hedges and

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clipping, then they would become -- they would be in the way, and they don't want to discard them or get them to be damaged.

REP. NICASTRO: If I remember right. My dad's is -- there's a metal post that the flag is placed into which is above the ground. That's not what you're talking about.

REP. NOUJAIN: No.

REP. NICASTRO: That's not what you're talking about. You're talking about little ones that -- like --

REP. NOUJAIN: Correct. Little flags that usually people put them on the ground. As a matter of fact, if with the indulgence of the chairman, if you would like any of the veterans behind me to probably answer this question. They can answer it better than me. I'm very much waiting to yield my time to them.

REP. GRAZIANI: Sure. If you want to appoint a spokesperson for the group that will be terrific.

REP. NOUJAIN: Mr. Rinaldi.

REP. NICASTRO: Good morning.

MR. RINALDI: Good morning. What Representative Noujain is talking about is there are cemeteries that will only let the U.S. flag fly in grave markers. The grave markers are put in front of the either headstones or footstones.

REP. GRAZIANI: Correct.

MR. RINALDI: They will only let them fly during a certain period around Memorial Day and around Veterans Day. They won't let them stay all year. And they want them removed. And what he's trying to do is to let them stay, and the reason for this

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is like he stated, is because they're in the way when they go by with their big lawn mowers and, you know, to do their lawn maintenance.

REP. NICASTRO: Again, are you talking about the flags that go into that metal post?

MR. RINALDI: Right. Those are grave markers. Yes.

REP. NICASTRO: At the grave, you're talking about that. If I had my way --

MR. RINALDI: If there isn't a grave marker, like on -- some people just put a flag by a footstone.

REP. NICASTRO: Understood. But if I had my way, I'd allow the veterans to have their flags there 365 days a year. That's the least we can do for our men and women that have served this country through the years, you know.

I strongly support what you're trying to do here. I'm just a little surprised that we don't allow that to fly all year long. And, you know, so it comes as a surprise to me, quite frankly. And honestly, I don't have a problem with what you're trying to do here. I would support this.

MR. RINALDI: I guess it's certain cemeteries -- it's not all. It's like anything else, they have their rules, their regulations of what they're trying -- what the Representative is trying to do is pass legislation that would cover all cemeteries.

REP. NOUJAIN: Representative Nicastro, if I may add also. I encouraged the cemetery association when they contacted me and they wrote to me. I called them and I encouraged them to come and testify before you so that we can have answers to all of the questions. And I hope that they are here, perhaps, you'll get this where you get all the information that you need in order for you to vote the appropriate way.

REP. NICASTRO: Okay. Thank you. Thank you very much. Thank you, Mr. Chairman.

SENATOR MAYNARD: Thank you for both of your testimony, and you're right, each individual town has their, you know, their cemetery associations, and I've heard horror stories where some towns will go in, they'll pick up the flags, take care of the plots and never return the flags back. And the family members, and, rightfully so, get upset when they go to their loved ones and see that the flag, whatever, is missing. So it's -- I appreciate you bringing it to our attention.

Don't run off Representative Sayers has a question or two.

REP. SAYERS: Thank you. I know in our town, if you come by any day, you will find over a thousand flags in one of our smallest cemeteries flying, and it's something to see. But each of those flags has a special holder and what's even more interesting, as you go and look at them, it also identifies what war that veteran served in, including going back -- we have Civil War and other types of grave markers or flag -- I call them flag holders because they're actually a metal piece that holds the flag. And it's interesting in our cemeteries, there's also -- the firemen have a special marker and the K of C, and Governor Grasso is buried there. And she did not have a marker and she was not eligible for any of those markers so one of the things that I was able to do was to get some special markers made with the State of Connecticut seal for the Governor. And they're in cement, she couldn't actually remove them. But those flags are never removed and just before Memorial Day, the American Legion does come and replace all the flags, and, at any time that they're really tattered from the elements, they will replace them if someone lets them know. So,

it just always amazes me where some cemeteries  
this is not allowed.

REP. NOUJAIN: Thank you, representative. You know, even though I am in support of the bill, it would be unfair of me not to mention some of the other opinions that I received. So I just wanted to let you know about all of the information that came before us. And I would like to extend my gratitude to the committee for your indulgence in allowing Mr. Rinaldi and myself and our veterans to express varying opinions and their ideas to you.

SENATOR MAYNARD: Thank you very much.

Are there any other questions from the committee?

REP. NICASTRO: Thank you, Mr. Chairman, if possible, and I don't want to do anything that would delay it, but they're asking for a certain date here. Could we have that to read at a minimum these dates? So it doesn't stop people from having it fly all year long if they want. In other words, have it -- they're asking for a certain time here. So at a minimum do this, just at a minimum. So that it would happen the way you want but if people want to do it longer, they can do it longer?

SENATOR MAYNARD: Yes, very good suggestion, Representative, and I think that's easily accomplished. We can take that up in our next screening.

REP. NICASTRO: Thank you very much, Mr. Chairman.

SENATOR MAYNARD: Thank you.

REP. NOUJAIN: Thank you very much. I appreciate your time.



this one. And I really believe that we have to say, you know, it has to be -- they weren't serving in the military operation. They were not in the U.S. Armed Forces. And I think we have to draw the line. It sounds tough, but you know what, if we don't draw the line, consequently what's going to happen, is that we're -- like I said, open up the floodgates, and everybody's going to want to come in.

I have a book that was issued in Bristol that was called World War II, and I was reading through it the other night. And it had pictures of the auxiliary nurses in it. It had pictures of the air raid wardens. It had pictures of everything. And I started thinking that that's what made me say, whoa, we have to draw the line on this. They deserve credit. They worked hard. They did an admirable job. But we have to say whoa. Thank you.

Thank you, Mr. Chairman.

SENATOR MAYNARD: Thank you.

Any other comments? Questions? Thank you very much, Chuck.

CHUCK BERRY: Thank you.

SENATOR MAYNARD: Looking for Don Roc, who's representing the mayor of Wallingford?

Roe, sorry about that.

DON ROE: Good afternoon, Senator Maynard, Representative Graziani, and committee members. I'm actually -- it's a very short presentation. And it's regarding Senate Bill 96 and House Bill 5039, which the Town is asking you to consider and support to try and fix what was a mistake.

The Town, in this, we're asking you to amend Section 12-128 of the Connecticut General Statutes, in order to address a situation that created a basic unfairness to a taxpayer. And the story goes like this, a local veteran discovered that he applied for the veteran's exemption. However, it was neither recorded nor applied to his taxes for many, many years. This veteran, however, was unable to receive a refund because the six-year limitation in the statute passed.

Increasing the number of years or eliminating the statutory limitation within which paid taxes may be recovered are options supported by the town. We believe that the taxpayer must properly apply for the exemption but should not be prevented from receiving it do to a mistake with a government office. Again, proposed Bill 96 and House Bill 5039 are measures that address this concern, and we would ask for your support.

SENATOR MAYNARD: Thank you very much.

DON ROE: On one hand, I apologize to you for having to come to a state legislature for a fix of this size.

SENATOR MAYNARD: But -- no, we appreciate you being here. And thank you --

DON ROE: We would hope you would find a way to do it. Thank you.

SENATOR MAYNARD: Thank you and thank you. There may be questions if you'll stay. Thank you also on behalf of the -- appearing on behalf of Mayor Dickinson.

Senator Fasano.

SENATOR FASANO: Don, thank you for driving up here. I know that the particular person that has pushed

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this issue is someone who is well-deserved of the credit. And they're probably other people out there just don't know that there could be a legislative fix. And I know the Town was concerned about this issue, and it shows by virtue of your attendance here today. And Mayor Dickinson's attendance or calling me on this issue. So I want to thank you very much. And this is something I think that this committee is going to give very serious review on but thank you very much.

DON ROE: Thank you.

SENATOR MAYNARD: Thank you.

Are there other questions? Thank you, again.

Next we'll hear from Ken Hedman.

KEN HEDMAN: Everybody hear me all right?

SENATOR MAYNARD: Very well.

KEN HEDMAN: I don't hear well so I'm always conscious of that.

Thank you very much for your service on this committee. I appreciate that. And I also appreciate the opportunity to address you in respect to Bill Number 5138. I think you have copies of my testimony, which I'll just go through very quickly. And I want to be able to respond any questions you folks may have.

I am the immediate past president of the Connecticut Cemetery Association and currently serve on its board of directors and the legislative committee. I have been a trustee since 1956 and president since 1990 of the Plainville Cemetery Association.

We have had custody and management responsibility for the two town-owned public cemeteries since 1893. I don't go back quite that far.

During the Korean conflict, I served in the United States Naval Reserve some two years plus and subsequently a couple years on active duty in the U.S. Marine Corps and received an honorable discharge in 1954. I am a veteran, obviously.

Today, I come before you representing these organizations as a veteran and an ordinary citizen.

Following the effects of the winter weather, each spring, we cemeterians concentrate our efforts to clean up and make the grounds especially presentable for this major event, Memorial Day, in honor of all those who have served our country. In Plainville, the long-standing practice of placing U.S. flags to mark veterans' gravesites has been accomplished by the veterans organizations, such as the American Legion and the VFW. Generally, during the week immediately prior to the Memorial Day -- the weekend, I should say, generally, during the weekend, immediately prior to the Memorial Day observation.

I believe most cemeteries follow this procedure. However, some have a special area established just to honor veterans and includes flying the U.S. flag, and, consequently, in some of those cases, they do not permit flags on individual gravesites. I understand from our superintendent that to extend this task from a weekend activity to the entire week immediately prior to the Memorial Day observation. I believe most cemeteries -- wait a minute. I lost my place here -- to extend this task from a weekend activity -- better keep my finger in my place -- to the entire week immediately prior to the Memorial Day would add considerably to the workload and seriously impair

our efforts to make the grounds as neat and presentable as possible for this very special day.

The bill creates an unintended adverse consequence. It does not appear to correct any wrongful measures and for these reasons we oppose its passage.

Additionally, in Plainville, it has been our long-standing practice that once the flags have been placed in honor of our veterans, we allow them to remain in place until after July 4th as long as they do not become unattractive from effects of the elements. It is not possible for us to determine who may have placed a specific flag, and, following the 4th of July, all are removed for appropriate disposition.

Flags that have retained acceptable appearance have in some cases in the past been donated to scout troops. This also involves, beyond our local operations, flag etiquette, and, in respect to the flags, if even before the 4th of July, a flag becomes very badly tattered, occasionally squirrels gnaw on them or the -- just the elements make them look unattractive and when we first put them in and you look across the cemetery, it's a wonderful sight. But, several months later, it might not be so wonderful and as a consequence, when necessary, we will remove them during the period of time. But, generally, after the 4th of July, we remove them. And they don't really stand up that well through the entire winter, and that's the main reason for our procedures. And, as a consequence, we hope you will give this bill -- will not give this bill a favorable vote but permit it to -- permit it, so to speak, to rest in peace.

I'd be pleased to answer any questions that you folks may have particularly my neighbor, Representative Nicastro from Bristol. Plainville

is right next to Bristol. It's one of the smallest towns in the entire state of Connecticut, and we are very proud of our little town, and I serve on some other matters in my community, and I'm pleased to be able to present our position to you, gentleman and ladies, at this point.

SENATOR MAYNARD: Thank you very much.

Are there questions for Mr. Hedman. Yes, sir.  
Any questions?

Representative Nicastro.

REP. NICASTRO: Good afternoon.

KEN HEDMAN: Good afternoon, sir.

REP. NICASTRO: I respect your opinion and you're involved in it a lot more than I am.

KEN HEDMAN: Yeah.

REP. NICASTRO: And you're right. Plainville is a small town, but it's our sister city, and we got to get through it to get to New Britain or get to here for that matter.

KEN HEDMAN: Problems are the same, though.

REP. NICASTRO: You know, the bill, as being presented here. Basically, you're saying you're doing that now any how? You're saying --

KEN HEDMAN: In effect, except for the lead time prior to Memorial Day. That's a crucial time to us. We're struggling to get the winter effects behind us and get the place spruced up and looking great for that Memorial Day celebration. And if we have additional flags to go around and trim, and et cetera, not knock them down and that sort of thing. They all don't have these holders. In

fact, the great majority of them in my cemetery they just stick them in the ground. That's what they do with my dad's.

REP. NICASTRO: Well, see, in our cemetery, the cemetery where my dad is, we all have those metal -- which is off the ground so it doesn't get in the way and it's to the side, right by the stone.  
I respect your opinion. I truly do. And, like I said, you're involved in it, but I also feel strongly that this bill deserves strong consideration, and I would support its passage. I realize you're saying it's the week before but --

KEN HEDMAN: That's crucial.

REP. NICASTRO: You know, what we're having, as you well know, we're losing our WW II at the rate of 400,000 a year. Okay. And now it's moving into the 'Nam era and not counting the young men and women who are sacrificing their lives in Iraq, Afghanistan, and God knows where. And I realize it, it may place a burden on you, but I would respectfully disagree, and I would support this, but I do respect your testimony, and I thank you for coming in.

KEN HEDMAN: Thank you, sir. The procedure as I outlined has been working well in Plainville for many, many years. And I think it's replicated pretty much throughout the cemetery business.

SENATOR MAYNARD: Thank you very much.  
I think if there are no more questions, we'll --  
I'm sorry.

Representative -- Senator Fasano.

SENATOR FASANO: Just going on Representative Nicastro, if there -- if someone puts a flag, literally in the ground, ground, that presents a problem for

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you to --

KEN HEDMAN: Maintenance-wise.

SENATOR FASANO: Maintenance-wise, weed whack, whatever you got to do.

KEN HEDMAN: Right, yeah.

SENATOR FASANO: If it is off the ground in a container, is that issue eliminated from your point of view?

KEN HEDMAN: It's -- it moderates it somewhat. In that --

SENATOR FASANO: Moderates it significantly?

KEN HEDMAN: The metal holder, if the weed whacker hits it it's not going bust it or anything. In fact, it might ruin the weed whacker instead, but the little wooden poles just stuck in the ground, they don't have the staying power.

SENATOR FASANO: So, in other words, if it wasn't a little wooden pole stuck in the ground, but if it was a --

KEN HEDMAN: Holder?

SENATOR FASANO: A holder of some sort off the ground -- I'm making up numbers -- three inches. That would alleviate any concerns you would have with respect to maintenance. Would that --

KEN HEDMAN: It moderates the problem somewhat.

SENATOR FASANO: Does it significantly moderate the problem, or does it moderately moderate the problem?

KEN HEDMAN: Well, it'll differ from cemetery to



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cemetery. I would venture a guess. I've not counted them. But I would venture a guess. We have many, many more flags without holders than we do with holders.

SENATOR FASANO: I understand. But assuming -- forget about the flags without holders. If they all had holders, off the ground, would that moderate significantly your concerns?

KEN HEDMAN: I would agree that would moderate the problem to some degree, yes.

SENATOR FASANO: I thank you. Thank you for your testimony.

SENATOR MAYNARD: Thank you very much. If there are no other questions, thank you, sir.

KEN HEDMAN: Thank you.

SENATOR MAYNARD: I wonder if in the interest of -- with the committee's indulgence, in the interest of time, we might ask all those who are hear to speak on this piece of legislation Bill 5138 that would be Raymond Scholl from the Connecticut Cemetery Association; Charles -- thank you, from the Catholic Cemetery Association; and Craig Neal also of the Catholic Cemetery Association; and Steve Komar and Kevin Gerckens all representing the same issue. If you would mind being available to the committee. I think we understand your concerns, and we'll be happy to take the testimony, but I think if the committee would like to just hear from you all in sort of a summary form, that might be beneficial.

CRAIG NEAL: Good afternoon, Senator Maynard.

SENATOR MAYNARD: If I might just interrupt so as to be fair to everyone. If you could summarize your remarks, we do have your written commentary and

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then we can, you know, entertain questions collectively.

CRAIG NEAL: Sure.

SENATOR MAYNARD: Thank you.

CRAIG NEAL: Good afternoon, Senator Maynard, Representative Graziani, all the committee members.

I serve as the executive director for Catholic Cemeteries Association, and these are our some of our managers, who are also veterans. And, in addition to my position as executive director, I also serve as vice president of the Connecticut Cemetery Association.

And we echo Mr. Hedman's testimony with regard to the situation of the veterans' flags being placed seven days prior to Memorial Day. I can't speak for all the cemetery associations throughout the state, however, we do permit the veterans flag to remain on a grave site 365 days a year, provided that it doesn't fall into an unserviceable or tattered state.

That being said, I think the concern that we have is the influx of the flags coming in seven days prior to Memorial Day which is how the bill is being introduced. Within our association, we have a pretty good rapport with our veterans groups and we've worked an agreement where they come in at twelve o'clock on noon on the Saturday prior to Memorial Day as that is when our work crew has completed their preparations for the holiday and have gone home for the Memorial Day weekend and this allows them to come in and set their flags in the mass quantity that they speak about.

Lastly, I think what we need to address, as you're all aware, is state statute 19a-297, which

currently states that they will be permitted to remain on the grave sites unless they become unserviceable, which is what we at Catholic cemeteries follow, however, as the bill is being introduced now, with the removal being on the first Monday after the 4th of July, we do have a concern, as Mr. Hedman illustrated, being that how are we going to be able to discern what flags were placed by the veterans associations versus the flags that may have been placed by individual family members. And as Senator Fasano so brought out with the bronze flag holders that we encourage people to use because it does support that American flag better than just sticking it 2 inches into raw dirt or grass. Well that alleviates some of the problems, if you have shrines sections in cemeteries where there are flush markers, those do have to be moved to allow for the mowing to take place. So it doesn't alleviate the problem totally but it does help it in cases where we have monument sections where it's an upright stone, and it's placed in the corner next to the stone.

Again, the main concern that we have is the influx of being placed seven days prior when we're trying to prepare for this very important and special day and, secondly, when if they're going to be picked up the Monday following July 4th, how are we going to be able to differentiate the flags that were placed by the groups versus the flags that were placed by individual family members.

I think the bill has some merit. I think it just maybe needs to be reworded so that it pleases all parties involved.

SENATOR MAYNARD: Thank you very much.

Are there comments -- before I ask for questions from the committee, are there comments or other statements that your colleagues would like to

make. I don't want to preclude anyone from having their time.

CHARLES GRZYWACZ: Good afternoon. My name is Charles Grzywacz. I'm manager of mount Saint Benedict Cemetery. And, as Mr. Neal did bring forward, Senator Fasano was asking the question about those bronze holders or metal holders for the flags. And that would be basically, the largest concern in my particular area would be those being placed in those shrine sections. To where they will have to be moved to be doing the mowing. And I don't think Senator Fasano understood because he was asking Mr. Hedman if it was 3 inches off the ground. In those areas it cannot be 3 inches off the ground. It would have to be stuck in the ground by that flush marker.

In monument sections whether it's 3 inches off the ground or stuck in front of that monument, it's fine. That would be about the only thing that I would be concerned with. Thank you.

SENATOR MAYNARD: Thank you and if you could just for the record state your name and who you're representing.

CHARLES GRZYWACZ: That was me, sir?

SENATOR MAYNARD: Yes.

CHARLES GRZYWACZ: My name is Charles Grzywacz, and I was representing Catholic Cemeteries, and I'm manager at Mount Saint Benedict Cemetery in Bloomfield.

SENATOR MAYNARD: Thank you very much, sir.

CHARLES GRZYWACZ: You're welcome.

STEVE KOMAR: Good afternoon, gentlemen. My name is Steve Komar. I'm with Calvary Cemetery in

Waterbury. And you have my letter here on file here --

[End of Tape 1B]

[Beginning of Tape 2A]

STEVE KOMAR: [Continuing] Back in April of 1963, a year after I was born, the veterans in Waterbury got together with Catholic Cemeteries and they voted -- because there is numerous places and the flags had to be put out at that time and they do continue every day -- that if we erected flag poles and memorials in the cemeteries, which we have, and since that day you're still allowed to place your own flag and flag holder for your father or son, but they do not come in. Waterbury does not come in at this time and place flags on all the veterans graves. We have a main flag pole that honors them all year round, which we supply the flags for. Families are still allowed and they're left year round. They're still allowed to put a flag on the graves of their loved ones also. This alleviates all the pressure that we're feeling now. If you've got a thousand flags out there, some of our cemeteries are quite large to go through the maintenance level. You're still allowed to put one out for your dad, if you want to, and we're going to leave it there. We do honor that.

It's like Mr. Nolan's son is buried in one of our cemeteries, and we have all due respect for it. If he wants to place a flag in a flag holder, I'd be the first guy to stand behind him as a veteran and say absolutely. But, in the cemetery, we also have a main flag pole with memorial to honor all the veterans year round which we maintain.

So it's another option for them in lieu of placing everything out there because that does put a great

burden on the maintenance of that. It's not that we don't want them to have it. We gave them -- that's been working since 1963 in Waterbury. And if the family comes in and asks me, well, I'd like to put a marker and a flag on my dad's foot marker, we refer them to the local veterans' association anyways which usually provides that's for them.

So it's just another option I wanted to bring up.

SENATOR MAYNARD: Thank you. Thank you very much. And I want to also acknowledge and thank you gentlemen who are veterans for your service. I understand, you know, we're all looking to do the right thing by the memory of our loved ones, and we really appreciate you taking the time to be here and to help us grasp some of the implications to your organizations.

Are there other gentlemen who would like to --

RAYMOND SCHOLL: If I may, thank you gentlemen for seeing us here. I just like to read a small part of my written testimony, if I may.

Presently, I serve as a president of the Connecticut Cemetery Association who has approximately 130 members.

SENATOR MAYNARD: Could you identify yourself, please.

RAYMOND SCHOLL: Raymond Scholl, Milford Cemetery Association, Milford, Connecticut.

Cemeteries throughout the state consist of those with large acres. They have boards, large boards, fully staffed, and office personnel and grounds crew, others that we consider medium-sized cemeteries that have boards, office staff and those that take care of the grounds. And other are small that may have one individual that

handles all the burials, maintenance and upkeep.

Please bear in mind that regardless of the type of cemetery, be it a large corporation, town-owned, a small church cemetery or run by a volunteer, all of these have the same issues when it comes to its upkeep.

Thank you.

SENATOR MAYNARD: Thank you.

Are there questions from members of the committee?

Representative Nicastro.

REP. NICASTRO: Thank you. If I understand this, and please be correct me if I'm wrong, please. You know, that's why we're here.

It's not so much like somebody -- a couple people said you let the flags fly 365. Okay. You made that very clear, like we do in Bristol. Okay. You're talking, basically, like what I'm hearing is the biggest obstacle here is that week before Memorial Day.

A VOICE: Yes.

REP. NICASTRO: In other words, if they came in just before Memorial Day like they do now and then continued it on after that, that's not as much as a problem as they week. So and I'm not trying to put words in your mouth, nor am I trying -- in other words, if the proposed legislation had that part removed, just the week before. Would that appease the majority of the problems?

RAYMOND SCHOLL: We still have a couple issues of --

REP. NICASTRO: I understand.

RAYMOND SCHOLL: -- who's going to pick up the flags.

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Who's going to maintain them in that time.

REP. NICASTRO: I understand that, sir. But what I heard mostly was that week before seemed to be -- everybody had a major problem with that part.

RAYMOND SCHOLL: That's correct.

REP. NICASTRO: Thank you.

SENATOR MAYNARD: Thank you.

Any other questions for members --

REP. GRAZIANI: The committee knew firsthand when this bill came up that there would be some feedback. And you know what? That's great. Shows democracy's at work, what our veterans have fought for, giving us the opportunity to be here. We appreciate your point of view and, obviously, this is an informational hearing, and it's an educational hearing, as well, to know what laws, if we do enact, what the cause and effect was. Just like the previous bill that we discussed with the Commissioner Schwartz. So thank you all very much for taking the time to come up here and expressing your viewpoints. Thank you.

RAYMOND SCHOLL: Thank you.

SENATOR MAYNARD: Thank you, gentlemen.  
Next we'll hear from Joseph P. Nolan, Gold Star father of Sgt. Joseph M. Nolan.

JOSEPH NOLAN: Good afternoon, Senators, and representatives of the Select Committee on Veterans' Affairs.

HB 5070 HB 5069

My name is Joseph Nolan. I'm here with my daughter Martha Nolan. We're from Waterbury.

On November 18, 2004, my son Sgt. Joseph M. Nolan,



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Steve Komar  
Calvary Cemetery  
2324 East Main St.  
Waterbury Ct. 06705

2-03-2009

House Bill # 5138

Good afternoon ladies and gentleman, I thank you for the opportunity to speak today. My name is Steve Komar. I am the Manager of Calvary, New St. Joseph, and Old St. Joseph Cemetery in Waterbury, along with St. James and St. Francis Cemetery in Naugatuck. All are under the direction, of the Catholic Cemeteries Association of Hartford. Based on my almost 15 years of experience as a cemetery manager, I would like to make a few statements of fact, and ask a few pertinent questions of this representative body. The answers to these questions, in my opinion must be reviewed before any pronouncement can be made in regards to House Bill # 5138.

Facts:

1. All American flags are not created equal. Some flags are plastic, nylon, cotton, or a combined material, which greatly effects the time a flag, will hold up against the elements.
2. Flags placed by organizations are generally not placed in flag holders, but placed directly in the ground. Flags placed only a few inches in the ground will have a tendency to fall over in a rain or windstorm.
3. Organizations that now place flags, only do so once or twice a year, but do not maintain them. It falls to the individual cemetery to remove fallen or disrespectful flags, during the rest of the year.
4. Current Ct. law prevents the removal of flags and flag holders from the cemetery. A flag placed by an organization, is virtually indistinguishable from a flag placed by a veterans family member.

Questions:


1. The purposed bill would allow the placement of flags on graves of veterans from Seven (7) days prior to Memorial Day until the Monday after July 4<sup>th</sup>.
2. Who will maintain them during this period, and what is to happen to them after July 4<sup>th</sup>?
3. If these flags are to be picked up, who is responsible to do so, and how will they be able to tell a flag placed by an organization, from one placed by a family member? To pick up private flags would cause a negative response to cemetery and state offices.
4. To leave 1,000's of flags on these graves, would create a hardship, and make it almost impossible for the cemetery to give the veterans graves and surrounding area the proper care and respect that they deserve.
5. How do you propose that we complete this task?

Proposed Solution:

In April of 1963, due to the increasing number of graves that needed to be decorated, nine (9) veterans' organizations voted an accepted, to follow in the footsteps of Arlington National Cemetery. The vote allowed, that in lieu of flags and flowers a memorial and flagpole would be placed in Catholic Cemeteries to honor veterans year round. At this time Catholic Cemeteries has many memorials, with flagpoles through the association. We believe it would be best if veteran's organizations, meet with individual cemeteries in regards to placing a permanent memorial and flagpole, within the cemetery to honor veterans, as Catholic Cemeteries has done. As the cost of a single flag is around \$ 2.79 each, and will not weather very long. These funds could be placed towards a permanent monument.

In Conclusion:

Current Conn. law more than covers the right to have families place markers, flags and flag holders on graves of their loved ones, of which they do on a daily basis. This right is not even afforded to family members, with loved ones interred in Arlington National Cemetery, our most prestigious veterans cemetery, were flags are allowed for Memorial Day only, and then are removed. By utilizing the above method to honor our veterans. Organizations would not incur the cost of purchasing individuals flags for our veterans. It would also relieve the maintenance hardship, which would be placed on all cemeteries, if thousands of flags were to be placed on all veterans' graves.



Steve Komar

Reference:

1. Arlington National Cemetery .org
2. Waterbury Republican Newspaper  
Tuesday April 2, 1963  
Local and Northwest Edition

## Vets Accept Memorial For Cemeteries

The Veterans Council voted last night at a meeting held in the Circuit Court room, to eliminate the decorating of each grave of a veteran on Veterans' Day.

This will be done because of the increasing number of graves that must be decorated, said officials.

It is the policy used at Arlington, Va., said veterans officials. Representatives from nine organizations attended the meeting.

It was voted to accept the Veteran's Memorial to be erected in Catholic cemeteries. The memorials will consist of a 10-foot square plot, the base of which will be granite stone. Also a 20-foot flagpole will be erected at each cemetery.

Stones will be erected at a later date, officials said.

The Protestant and Jewish cemeteries will be decorated with flowers and flags this year while the Catholic Cemeteries will carry on Memorial services at each of their cemeteries.

About the middle of May seed catalogues are replaced by road maps.

and don't oversor

## CEREMONIES



### "FLAGS-IN"

Each year for the past 40 years, the 3rd U.S. Infantry (The Old Guard) has honored America's fallen heroes by placing American flags before the gravestones and niches of service members buried at both Arlington National Cemetery and the U.S. Soldier's and Airmen's Home National Cemetery just prior to Memorial Day weekend.

This tradition, known as "flags in," has been conducted annually since The Old Guard was designated as the Army's official ceremonial unit in 1948. Every available soldier in the 3rd U.S. Infantry participates, placing small American flags one foot in front and centered before each grave marker.

During an approximately three-hour period, the soldiers place flags in front of more than 260,000 gravestones and about 7,300 niches at the cemetery's columbarium. Another 13,500 flags are placed at the Soldier's and Airmen's Cemetery. As part of this yearly memorial activity, Old Guard soldiers remain in the cemetery throughout the weekend, ensuring that a flag remains at each gravestone.

American flags are also placed at the graves of each of the four unknown service men interred at the Tomb of the Unknowns, by the Tomb Sentinels. All flags are removed after Memorial Day before each cemetery is opened to the public.



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## A GUIDE TO BURIAL AT ARLINGTON NATIONAL CEMETERY

### AFTER THE TIME OF NEED

#### Locating a Gravesite or Niche

To locate the gravesite or niche in the Columbarium of a relative or friend, you may telephone or visit the custom service desk in the Visitors' Center. The telephone number is (703) 607-8000. Except for Christmas Day, the Vis Center is open every day of the year. The hours open to the public are 8:00 a.m. to 7:00 p.m., April 1 through September 30 and 8:00 a.m. to 5:00 p.m., October 1 through March 31.

#### Gravesite Maintenance after Interment

Graves are filled and leveled after each interment. As the soil compacts in the grave, sinkage may occur especially during the first year after the interment. Graves are sodded in the Spring or in the Fall (generally during the month March through May and September through November).

#### Vehicle Passes for Gravesite Visitation

**Permanent Pass** — A permanent pass is issued to the next-of-kin at the time of the interment. Additional permanent passes are available for the parents and children of the deceased. An application for a permanent pass is available at the Administration Building or you may write for an application to: Superintendent, Arlington National Cemetery, ATTN: ANNC-ADI, Arlington, VA 22211.

**Temporary Pass** — A temporary pass may be issued to family and friends of the deceased. You may request a temporary pass upon your visit to Arlington National Cemetery. The pass is good for one visit only but additional passes may be requested upon each visit. To request a pass you should go to the Customer Service Desk located in the Visitors' Center. The staff will issue you a temporary pass and will provide you with the grave location and a map to the gravesite. To access the Visitors' Center, you should park in the pay parking facility. Take your parking stub/ticket with you to the Customer Service Desk. The staff will validate your stub/ticket if you make the request within 1/2 hour of the time stamped on the stub/ticket.

#### Floral Tributes at Gravesites

Fresh cut flowers may be placed on graves at any time.

Artificial flowers may be placed on graves October 10th through April 15th.

Planting of flowers, shrubs, etc. is prohibited.

Potted plants are permitted during the period 10 days before and 10 days after Easter.

Christmas wreaths are permitted during the Christmas season.

Floral items will be removed from the graves as soon as they become faded and unsightly.



Statues, vigil lights, flags, etc. and any type of commemorative items are not permitted on graves except for flags placed on the graves by the government.

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Kevin A Gerckens  
65 Hillcrest Ave  
Derby, Ct.06418  
Re: Opposition of Bill 5138

Feb.2, 2009

As manager of Mount Saint Peter Cemetery in Derby I voice my opposition today to proposed Bill #5138. It is always my goal to provide dignified and well-maintained resting places for our faithful departed and their visiting family member.

With this in mind, please note that from April to Memorial Day our Cemetery is very busy, we are trying to clean up from the winter (removing sand repairing plow damage to turf, applying loam and grass seed to all the winter graves, installing foot markers, excavating and pouring foundations for monuments) All this while trying to conduct normal day to day operations. Our goal is to have our cemetery in pristine condition for the most visited day of the year "Memorial Day". Our current policy is to have our local Veteran agency place the flags After 12:00 PM the Saturday prior to Memorial leaving, ample time for cemetery workers to finish our work without having to work around thousands of flags.

When mowing and grass trimming commences each flag must be removed and placed in its original position. Our current policy leaves the flag all year until it is unserviceable. Bill 5138 states that the flag will be removed the week after the 4<sup>th</sup> of July, by whom? Will the people removing the flags have the ability to tell the difference from flags placed by family members (personal property)? And the flags placed by the Veterans groups?

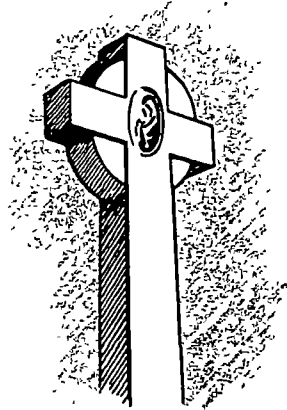
While I have the up most respect for the American flag, this bill would negatively affect the appearance of our properties on Memorial Day.

It is for the above reasons that I respectfully oppose bill #5138 and request that you vote no.

Sincerely Kevin A Gerckens  
Cemetery Manager  
Gulf War Veteran U.S.M.C.



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*Catholic Cemeteries Association*  
OF THE ARCHDIOCESE OF HARTFORD, INC.

700 MIDDLETOWN AVENUE, P.O. BOX 517, NORTH HAVEN, CONNECTICUT 06473-0517  
TELEPHONE (203) 239-2557 • FAX (203) 239-5035  
E-mail: ccahart@aol.com

CRAIG S. NEAL  
Executive Director

February 3, 2009

Re: Proposed Bill No. 5138 – “AN ACT CONCERNING THE PLACEMENT OF UNITED STATES FLAGS ON VETERANS’ GRAVES.”

Good afternoon ladies and gentleman. Thank you for taking the time to review my concerns. As Executive Director of Catholic Cemeteries Association of the Archdiocese of Hartford, Inc., I am here today to voice my opposition to Proposed Bill No. 5138. In addition to my position with the Association, I also serve as Vice President of the Connecticut Cemetery Association, as a board member for the New England Cemetery Association, and as a committee member for the National Catholic Cemetery Conference.

The Association maintains its headquarters and corporate office at 700 Middletown Ave., North Haven. The primary function of the Association is to oversee the maintenance and operation of 29 cemeteries within the jurisdiction of the Archdiocese of Hartford. It is always our goal to provide dignified and well-maintained resting places for our faithful departed and their visiting family members.

With this in mind, please note that the month leading up to Memorial Day is a most critical time of the year for a cemetery. It is at this time that we are completing our spring cleanup and “shifting into high gear” with Mothers’ Day and Memorial Day, two of the busiest days of the year for a cemetery, in the forefront of our operations. To this end, we have asked the Veterans’ groups to refrain from placing the flags in mass quantity until after 12:00 PM on the Saturday before Memorial Day. This allows our employees to mow, trim, and prepare for the holiday without the additional interference of hundreds or even thousands of flags on gravesites. While we have the utmost respect for the American flag, which we permit on the gravesites for the remainder of the year, this Bill, if enacted, will create a maintenance nightmare during Memorial Day preparations and ultimately have a negative impact on the appearance of our properties on Memorial Day.

Lastly, current State Statute 19a-297, which states that all American flags and flag holders are not to be removed unless unserviceable, must be taken into consideration. The proposed Bill contradicts this Statute. Furthermore, it does not address who will be responsible for the removal of the flags following the 4<sup>th</sup> of July, if enacted. Regardless of who will be responsible for the removal, it will be impossible to discern if a flag was placed by an organization or a private family member. If the organizations were to remove personal flags, which are permitted to remain in accordance with 19a-297, our cemetery offices will be inundated with irate, grieving family members. This would place an unfair additional burden on our administrative staff.

It is for the above reasons that I respectfully request that you vote NO with regard to House Bill #5138.

Sincerely,

  
Craig S. Neal  
Executive Director

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Good Morning;

My name is Charles J. Grzywacz; I am the Manager of Mt. St. Benedict, St. Patrick & Holy Trinity Cemeteries. I would also like to add that I am a proud veteran of the United States Marine Corps.

If this Bill were enacted it would certainly create a maintenance nightmare for all cemeteries. Mothers Day and Memorial Day are the two busiest days for a cemetery.

At this time of the year we are just finishing spring clean up and are entering into the mowing season. It has always been our goal to have our cemeteries at their best for these two special days. If flags were allowed seven days prior to Memorial Day it is certain we would face much difficulty in meeting that goal.

In the past we have asked Veteran's groups to refrain from placing flags in mass quantity until after 12:00 pm on the Saturday prior to Memorial Day. With the Veterans groups in compliance with our request in the past, we have been able to meet our goal.

While I have the up most respect for the American Flag and all veterans of the United States Armed forces, I am strongly against Proposed Bill #5138.

I would also like to inform my fellow veterans that we do display the American Flag year round on a 25' flagpole adjacent to our office building.

Thank you,



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**The Milford Cemetery Association**  
35 Gulf Street  
Milford, Conn. 06460

**Raymond C. Scholl - Superintendent**

February 2, 2009

Re: Proposed Bill #5138

To: Select Committee on Veterans's Affairs

Presently I serve as the President of The Connecticut Cemetery Association, which has approximately 130 Members. Cemeteries throughout the state consist of those with large acreage that have boards, fully staffed with office personal and grounds crew. Others are what we consider medium size cemeteries that still have boards, office staff and those that take care of the grounds and others that are small that may have one individual that handles all the burials, maintenance and upkeep.

Please bear in mind that regardless of the type of cemetery be it a large corporation, town owned, a small church cemetery or run by a volunteer. All of these have the same issues when it comes to its upkeep.

Memorial day is a special day for those that have the utmost respect the those that have served in the military. Cemeteries throughout the state need to complete the cleanup from the spring season. This final week prior to the weekend of Memorial Day is vital to the upkeep of the cemetery grounds.

Serving as the superintendent of The Milford Cemetery Association for the past twenty five years I have updated the veterans list, Which is used for flag placement, and observed the three cemeteries being decorated by the local veterans group. This flag placements has always been accomplished on the Saturday before Memorial Day because of the coordinated efforts by these groups.

I ask that you not allow this bill to pass.

Respectfully

Raymond. C. Scholl

## The Plainville Cemetery Association, Inc.

Kenneth A. Hedman, President

John W. "Bill" Beverley, Jr. Superintendent

West Cemetery - 180 North Washington St.  
P. O. Box 144  
Plainville, CT 06062-0144

Telephone (860) 747-2314  
Fax (860) 747-2314

February 2, 2009

**RE: Proposed Bill No. 5138, US flags on Veterans graves**

To: Select Committee on Veteran's Affairs, General Assembly, State of Connecticut

I am the immediate past president of the Connecticut Cemetery Association and currently serve on its Board of Directors and the Legislative Committee.

I have been a Trustee since 1956 and President since 1990 of The Plainville Cemetery Association. We have had custody of and management responsibility for the two Town owned Public Cemeteries since 1893.

During the Korean conflict I served in the US Navel Reserve, some two years plus and subsequently 2 years on active duty in the US Marine Corps and received an honorable discharge in 1954.

Today, I come before you representing these organizations, as a veteran and an ordinary citizen.

Following the effects of the winter weather each Spring we cemeterians concentrate our efforts to clean up and make the grounds especially presentable for this major event, Memorial Day in honor of all those who have served our Country.

In Plainville the long standing practice of placing US flags to mark veteran's grave sites has been accomplished by the veteran's organizations such as the American Legion and VFW. Generally during the week end immediately prior to the Memorial Day observation. I believe most cemeteries follow this procedure. However, some have a special area set aside to honor veterans including flying the US flag and consequently do not permit flags on individual grave sites.

I understand from our Superintendent that, to extend this task from a week end activity to the entire week immediately prior to Memorial Day would add considerably to the work load and seriously impede our efforts to make the grounds as neat and presentable as possible for this very special day. The bill creates "an unintended adverse consequence", does not appear to correct a wrong and for these reasons we oppose its passage.

Additionally, it has been our longstanding practice that once the flags have been placed in honor of our veterans we allow them to remain in place until after July 4th as long as they do not become unattractive from effects of the elements. It is not possible for us to determine who may have placed a specific flag and following the 4<sup>th</sup> of July all are removed for appropriate disposition. Flags that have retained acceptable appearance have in some cases been donated to scout troops.

**We hope you will not give this bill a favorable vote but permit it, so to speak, to R. I. P.**

Thank you for hearing our opinions on this matter.

  
K. A. Hedman

TEXT  
ONLY

January 27, 2009

Catholic Cemeteries Association  
700 Middletown Avenue  
North Haven, Connecticut 06473  
Attn: Clayton Moore

**RE: Building Renovations @ 1141 Stanley Street, New Britain, CT**

Dear Clayton,

Based on our meeting at the above mentioned site, we have prepared the attached proposal for Architectural, Mechanical & Electrical Engineering Services. Our proposal is based on the preparation of existing base plans provided by you for 1141 Stanley Street in New Britain, CT. The existing building is a single level on grade, with a partial mezzanine and lower level at the rear of the building, which occupies approximately 33,600 SF. The proposed use of the facility will be for Offices, Garage and Storage space. We will prepare construction documents for the fit-out of the facility based on the scope of work defined in the Agreement for Professional Services.

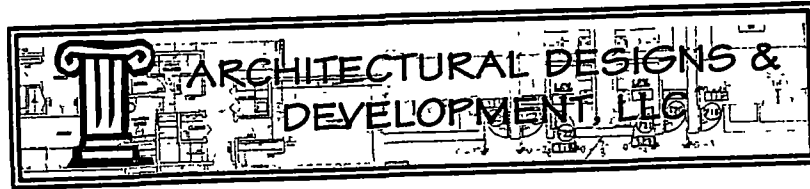
Please review the enclosed proposal/agreement for services. Once approved, please return an executed original and retainer to our office. Thank you for giving us the opportunity to submit our proposal on this very important project. We look forward to working with you. Should you have any questions, please feel free to contact me at (860) 274-7718.

Sincerely,

Todd D. Genovese  
Member

Cc: File

54 WELLINGTON AVENUE  
WATERBURY, CT 06708  
(860) 274-7718 OFFICE/FAX



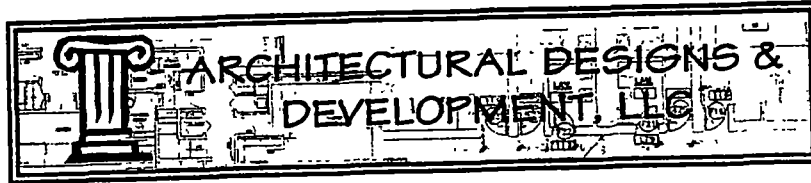
**AGREEMENT FOR PROFESSIONAL SERVICES (Revised)**  
Renovation to 1141 Stanley Street  
New Britain, CT

**SCOPE OF SERVICES**

The professional services identified below and the associated fees are in response to your request and in accordance with our understanding of the project scope. The extent of our services can be modified to suit your particular requirements for the completion of this project. The project shall consist of the tenant fit-out of approximately 33,600 SF Commercial building, for Office, Garage and Storage space.

**Task One – Architectural Construction Documents**

1. Utilize the existing floor plan provided by the owner, to provide schematic floor plan for the proposed fit-out.
2. Based on the Owner's scope of work prepare schematic floor plan defining areas and proposed scope of work. Prepare code review to define issues for discussions with New Britain Building Department and Fire Marshal's Office. Based on those discussions and the approved schematic layout, prepare Construction Documents. Plans shall include: Floor Plan delineating: walls, doors windows, egress paths, Reflected ceiling plan delineating location of lighting, Door Schedule, Window Schedule, Finish Schedule and Specifications. Drawings shall be suitable for contractor bids and building permit.
3. Structural design for support of the Front Offices HVAC (2) RTU is included in this proposal. All other Structural design fees, if required, can be provided under an additional proposal.



### COMPENSATION

1. Compensation for *Task One – Architectural Construction Documents* - Shall be a lump sum of \$13,200.00 (Thirteen Thousand Two Hundred Dollars).
2. Compensation for *Task Two – MEP Construction Documents* - Shall be a lump sum of \$15,500.00 (Fifteen Thousand Five Hundred Dollars).

### METHOD OF COMPENSATION

1. Retainer is due in full prior to the commencing of work.
2. Compensation for Tasks One & Two - Payment shall be due upon completion of each task.

### SCHEDULE

1. Tasks 1 & 2 shall be completed within Four (4) Weeks of receipt of notice to proceed and retainer.

Receipt of a fully executed copy of this agreement and retainer of \$9,500.00 (Nine Thousand Eight Hundred Dollars) will serve as our notice to proceed.

We look forward to working with you on this project.

### **ARCHITECTURAL DESIGNS & DEVELOPMENT, LLC**

Approved by:  Date: 2-2-09  
Todd D. Genovese - Member

Approved by:  Date: 1-30-09  
for Catholic Cemeteries Association

Rev. Msgr. DAVID M. WALKER  
Typed or Printed Name of Signatory