

SENATE HEARING SLIP

(Please Print Plainly)

DATE: MAY 19, 1999
BILL NO. Senate Bill 69
OR
SUBJECT _____

Secretary Marlene A. Cummings
(NAME)
1400 E. Washington Ave
(Street Address or Route Number)

Madison 53703
(City and Zip Code)
Dept. of Regulation & Licensing
(Representing)

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.
Senate Sergeant-At-Arms
~~Room 409 - 1 One East Main~~
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 5-19-99
BILL NO. _____
OR
SUBJECT SB-69

Sen. Rod Morn
(NAME)
(Street Address or Route Number)

(City and Zip Code)
315 S.D.
(Representing)

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.
Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: May 19, 1999
BILL NO. SB 69
OR
SUBJECT _____

Tom Townsend
(NAME)
44 E. Miffin
(Street Address or Route Number)

Madison
(City and Zip Code)
Wis. Johns Association
(Representing)

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.
Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP ③

(Please Print Plainly)

DATE: 5-19-99
BILL NO. SB 69
OR
SUBJECT Winter Burial

Rev. Tim C. Brown
(NAME)
4498 Evergreen Dr.
(Street Address or Route Number)
Vadnas Heights MN 55127
(City and Zip Code)
Wisc. Burial Vault Assoc.
(Representing)

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.
Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP ④

(Please Print Plainly)

DATE: 5-19-99
BILL NO. SB 69
OR
SUBJECT _____

William Downs III
(NAME)
1304 Hammond
(Street Address or Route Number)
Superior WI 54880
(City and Zip Code) President
Wis. Funeral Directors Assoc.
(Representing)

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.
Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP ⑤

(Please Print Plainly)

DATE: 5/19/1999
BILL NO. S-69
OR
SUBJECT _____

ART JOHNSON
(NAME)
1209 E 5th St
(Street Address or Route Number)
Superior WI
(City and Zip Code) 54880 Wis Funeral
(Representing) DIRECTOR

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.
Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: MAY 17, 1999
BILL NO. SENATE BILL 69
OR
SUBJECT _____

C. KEITH EDISON
(NAME)
23713 WASHINGTON
(Street Address or Route Number)
INDEPENDENCE, WI 54747
(City and Zip Code)
(Representing) _____

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information only; Neither for nor against:

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Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 5/19/99
BILL NO. SB-69
OR
SUBJECT _____

Tim Tysuel
(NAME)
4705 Flint Lake
(Street Address or Route Number)
Madison, WI 53714
(City and Zip Code)
Badger State Secretary
(Representing) ASS4

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.
Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 5-19-99
BILL NO. SB 69
OR
SUBJECT Winter
Burial

Vern J. Bronch
(NAME)
Wilwaukee
(Street Address or Route Number)
1200 W 29th St
(City and Zip Code)
WBVA
(Representing)

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.
Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 5-19-99

BILL NO. Senate Bill 69

OF

SUBJECT _____

Janey N. Godwin
(NAME)

P.O. Box 845
(Street Address or Route Number)

Independence, WI 53477
(City and Zip Code)

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: MAY 19 '99

BILL NO. SB 69

OF

SUBJECT _____

MARK LIPSCOMB
(NAME)

522 No WATER ST
(Street Address or Route Number)

MILWAUKEE 53202
(City and Zip Code)

Wis Burial Vault Assn
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 5/19/99

BILL NO. SB 69

OF

SUBJECT WATER BURIAL

MARK MCCOOL
(NAME)

W339 N5360 CHERA YCT.
(Street Address or Route Number)

NASHOTAH, WI
(City and Zip Code)

BROWN-WILBERT WBLVA
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:

but not speaking:

Registering Against:

but not speaking:

Speaking for information only; Neither for nor against:

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Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: MAY 19, 1999

BILL NO. SB 69

OR
SUBJECT WINTER BURIALS

MARK AARSEN
(NAME)

131 E. MAPLE AVE.
(Street Address or Route Number)

BENSON DAM, WI 53516
(City and Zip Code)

FSA
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information
only; Neither for nor against:

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Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: MAY 19, 1999

BILL NO. SB 69

OR
SUBJECT WINTER BURIAL BILL

ROSS KEEHR
(NAME) PO BOX 426

5237 GOLF VIEW DR
(Street Address or Route Number)

SPRING VALLEY, WI 54767
(City and Zip Code)

FSA
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information
only; Neither for nor against:

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Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: MAY 19TH, 1999

BILL NO. SB 69

OR
SUBJECT WINTER BURIAL
BILL

MARK KRAUSE
(NAME)

9000 W. CAPITOL DR.
(Street Address or Route Number)

MILWAU, WI 53222
(City and Zip Code)

FUNERAL STRIKE ALLIANCE OF WI
(Representing) KRAUSE FUNERAL HOMES

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information
only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 5-19-99

BILL NO. 5869

OR
SUBJECT Winter Burial

William Cress
(NAME)

3610 Speedway
(Street Address or Route Number)

Madison 53705
(City and Zip Code)

Funeral Service Alliance Wis
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information
only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O.Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 4/19/99

BILL NO. 69

OR
SUBJECT Winter Burial

Mark T Lesko
(NAME)

8446 Pine Hill Rd
(Street Address or Route Number)

Cross Plains WI 53528
(City and Zip Code)

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information
only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O.Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: May 19, 1999

BILL NO. SB 69

OR
SUBJECT Winter Burials

Dave Plombon
(NAME)

7831 S. Scepter Dr. #2
(Street Address or Route Number)

Franklin, WI 53132
(City and Zip Code)

Self - Funeral Directors
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information
only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O.Box 7882
Madison, WI 53707-7882

12

11

10

SENATE HEARING SLIP

(Please Print Plainly)

DATE: May 17, 1999
BILL NO. S.B. 69
OR
SUBJECT _____

Dan Thompson
(NAME)
202 State St
(Street Address or Route Number)

Madison WI 53703
(City and Zip Code)
League of Wisconsin
(Representing) Municipalities

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information
only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.
Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: May 19, 1999
BILL NO. S.B. 69
OR
SUBJECT _____

Dan Thompson
(NAME)
202 State St
(Street Address or Route Number)

Madison WI 53703
(City and Zip Code)
City of Waupaca
(Representing)

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
(Resolution attached)
Speaking for information
only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.
Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

Committee on Human Services & Aging

SENATE HEARING SLIP

(Please Print Plainly)

DATE: April 2, 1999
BILL NO. SB 69
OR
SUBJECT 82-4055 (H)

920/684-4642 (W)
Roy Pfeffer, Chair
(NAME)
1400 E. Washington Ave
(Street Address or Route Number)

Madison 53703
(City and Zip Code)
Funeral Directors Examining Board
(Representing)

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information
only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.
Senate Sergeant-At-Arms
~~State Capitol - B35 South~~
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 5/19/99

BILL NO. SB 69

OF
SUBJECT _____

Dr. G. Kub
(NAME)

(Street Address or Route Number)

(City and Zip Code)

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger **PROMPTLY**.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O.Box 7882
Madison, WI 53707-7882

Vote Record

Senate - Committee on Human Services and Aging

Date: 7/29/99
 Moved by: Robson

Seconded by: Wirch

AB: _____ SB: 69 w/ Amdt 1
 AJR: _____ SJR: _____
 AR: _____ SR: _____

Clearinghouse Rule: _____
 Appointment: _____
 Other: _____

A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____

Be recommended for:

- Passage
- Introduction
- Adoption
- Rejection

- Indefinite Postponement
- Tabling
- Concurrence
- Nonconcurrence
- Confirmation

Committee Member

- Sen. Judy Robson, Chair
- Sen. Gwendolynne Moore
- Sen. Robert Wirch
- Sen. Carol Roessler
- Sen. Peggy Rosenzweig

<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: 4 1

Motion Carried

Motion Failed

Vote Record

Senate - Committee on Human Services and Aging

Date: 7/29/99
 Moved by: Robson Seconded by: Wirsch
 AB: _____ SB: 69 Clearinghouse Rule: _____
 AJR: _____ SJR: _____ Appointment: _____
 AR: _____ SR: _____ Other: _____
 A/S Amdt: 1 6487/1 to A/S Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Sub Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

- Be recommended for:
- Passage
 - Introduction
 - Adoption
 - Rejection
 - Indefinite Postponement
 - Tabling
 - Concurrence
 - Nonconcurrence
 - Confirmation

Committee Member	Aye	No	Absent	Not Voting
Sen. Judy Robson, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gwendolynne Moore	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Robert Wirsch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Carol Roessler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Peggy Rosenzweig	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>4</u>		<u>1</u>	

Motion Carried Motion Failed

Oak Hill Cemetery Association

1540 East Main St.
P.O. Box 66
Watertown, Wisconsin 53094

Phone 920-261-6022

Senator Judy Robson
P.O. Box 7882
Madison, Wi 53707

5/14/99

Dear Charman Robson


RE: SB-69 Winter Burial Bill

I have been the manager of two cemeteries here in Watertown. For the past 4 years I have managed the Oak Hill Cemetery and for 10 years the Immanuel Lutheran Cemetery. Oak Hill Cemetery has been providing winter burials since the early 1980's. To my knowledge, Immanuel Lutheran Cemetery has always provided winter burial. There is no reason why a cemetery can't provide winter burials to a family in this day and age. The only items a cemetery needs to have to provide burials in the winter are a frost heater, which costs around \$500.00 and a backhoe with a frost tooth. Neither of these cemeteries own a backhoe, so we subcontract this out when needed. Just for your information, we're charged \$70.00 for the backhoe and frost tooth.

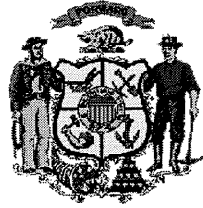
If I had a choice to have a burial in the winter verses the spring, I'd much prefer the winter. Conditions in the spring make burials more difficult. The ground is soft and muddy, equipment gets stuck, it just creates a mess. Beside this, it's much more of a hassle to get all the families together again for the burial. I should also mention the problem of even having a storage area available. I am aware the many cemeteries have poor storage facilities. Many times, caskets are stored in the utility sheds next to the cemetery grounds equipment.

Up until about a year ago, we had one cemetery here in Watertown that did not provide winter burials. I've heard many comments from families that were greatly distressed after learning that their deceased family member was going to be held over for a spring burial. I can really understand this. I too, would not want a family member pass away during the winter and be told I would have to come back for a spring burial. I wouldn't want to going through the stress and grief a second time.

Please vote FOR passage of bill SB 69.



Michael Chartier
Manager of Oak Hill Cemetery
Manager of Immanuel Lutheran Cemetery
P.O. Box 66
1540 E. Main Street
Watertown, Wi 53094



STATE SENATOR JUDY ROBSON
15TH SENATE DISTRICT

CONSTITUENT CONTACT FORM

Date Case Opened: 5/7/99

Caseworker: dlb

Date Case Closed:

Constituent Name: Paul Farrell

Constituent Address: 2507 Hawthorne Drive, Beloit

Home Phone: 362-5535

Business Phone: 362-3444

Social Security Number:

Other ID:

Complaint Request **Opinion:** For Against AB: SB: 69

Question/Problem/Details:

He is the funeral director at Daley-Murphy-Wisch and he is in favor of Senate Bill 69. He is not planning to attend the hearing on May 19, but would be happy to talk about the bill if we would like. He will be available after next Thursday, May 13.

He helped out a funeral home up north one time and took phone calls from bereaved loved ones who were upset that they had to wait for the burials. "It's not over until it's over," he says.

RESOLUTION NO. 1027 (1999)

**A RESOLUTION OPPOSING THE CREATION OF
A WISCONSIN STATE LAW REQUIRING WINTER BURIALS**

WHEREAS, the City owns and operates the City of Waupaca Lakeside Cemetery; and

WHEREAS, the City currently provides services for requested burials into the early winter months and beginning in the early spring months each year, dependent on frost depth and snow and ice accumulations; and

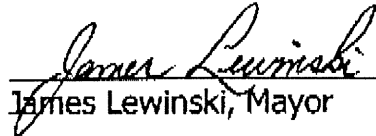
WHEREAS, there are slopes on the roadways and burial grounds in excess of 2:1 that causes burials during the winter months on snow or ice covered roads and grounds impractical and dangerous; and

WHEREAS, the safety of the City Cemetery employees, subcontractors, funeral home employees and funeral burial attendees at the City of Waupaca Lakeside Cemetery is of great concern to the City; and

WHEREAS, casket vault installers have agreed that during these extreme winter months vault installations would not be performed at the City of Waupaca Lakeside Cemetery due to limited access and safety concerns; and

WHEREAS, the City in the past has worked individually with each burial request, showing compassion and understanding and attempting to provide the needed burial services for each request,

NOW, THEREFORE, BE IT RESOLVED, that the City of Waupaca Common Council hereby goes on record opposing the creation of a Wisconsin State Law (1999 Senate Bill 69) requiring the City to provide year-round burials within the City of Waupaca Lakeside Cemetery or any other cemeteries that the City may own now or in the future.


James Lewinski, Mayor

ADOPTED: MAY 18, 1999

APPROVED: MAY 18, 1999

ATTEST:


Sharon Nelson, City Clerk

SENATE COMMITTEE HEARINGS

and (b), 48.14 (1) (e), 48.22 (3) Note and (6), 48.32 (2) and Note, 48.40 (2) Note and 48.46 (1) (b); to repeal and recreate chapter ATCP 48 Note, 48.01 (9) to (11) and (13), subchapter IV (title) of chapter ATCP 48, 48.20, 48.24 (5), 48.26 (3), subchapter V (title) of chapter ATCP 48, 48.34, 48.36, 48.38, subchapter VI (title) of chapter ATCP 48 and 48.46 (2); and to create ATCP 48.01 (6m), (13m), (13r), (14m) and (26), 48.08 (1) (b) Note and (3) to (5), 48.21, 48.22 (2m) and (2r), 48.24 (2) Note, 48.26 (5) and Note, 48.33, 48.44, 48.45 and 48.46 (1) (d), relating to drainage districts.

Submitted by **Department of Agriculture, Trade and Consumer Protection**.

Assembly Joint Resolution 6

Relating to: petitioning the U.S. Postal Service and the U.S. Congress to establish a 1st class postage stamp entitled "Game Warden" to honor our nation's conservation wardens, past and present.

By Representatives **Hahn, Freese, Skindrud, Musser, Ourada, Brandemuehl, Handrick, Ott, Goetsch, Sykora, Black, Gunderson, F. Lasee, Kreuser, Kedzie, Turner and Gundrum**; cosponsored by Senators **Breske and Schultz**.

Senate Joint Resolution 6

Relating to: urging the U.S. and Canadian governments to prohibit diversion of Great Lakes water.

By Senators **Jauch, Cowles, Baumgart, Moen, Burke, Erpenbach, Grobschmidt, Breske, Welch, Decker, Wirch and Darling**; cosponsored by Representatives **Krug, Musser, F. Lasee, Urban, Plale, Ott, Colon, Hasenohrl, La Fave, Plouff, Kreuser, Boyle, Black, Gronemus, Richards, Kelso, Kedzie and Sherman**.

Senate Joint Resolution 13

Relating to: memorializing Congress to amend 21 USC 661 (a) to allow for the interstate shipment of state-inspected meat.

By Senators **Schultz, Shibilski, Fitzgerald, Welch, Panzer, Drzewiecki, Rude, Farrow, Darling, George, Zien, Breske and Clausing**; cosponsored by Representatives **Kestell, Ott, Klusman, Johnsrud, Musser, Brandemuehl, Gronemus, Freese, J. Lehman, Goetsch, Pettis, Ainsworth, Miller, Plouff, Seratti, Kreibich, Owens, Sykora, Spillner, Hahn, Gunderson, Albers, Huebsch, Petrowski, Skindrud, Lassa and Grothman**.

Senate Bill 12

Relating to: escrowing certain payments to the federal government for the disposal of radioactive waste

and making an appropriation.

By Senators **Cowles, Baumgart, Clausing, Wirch, Rude, Farrow, Schultz, Huelsman, Plache, A. Lasee, Roessler and Drzewiecki**; cosponsored by Representatives **Duff, F. Lasee, Hutchison, Ryba, Krug, Plale, Powers, Albers, Hahn, Kelso, Kedzie and Boyle**.

HUMAN SERVICES AND AGING

Senator Judy Robson, Chair

411 South

Wednesday, May 19, 1999 10:00 A.M.

FRANKLIN, LAMARR, of Glendale, as a member of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for the term ending July 1, 2003.

FRANKLIN, LAMARR J., of Glendale, as a member of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for the term ending July 1, 1999.

CLEMENTS, JENNIFER J., of Sparta, as a member of the Board on Aging and Long Term Care, to serve for the term ending May 1, 2004.

PUTRA, SUSAN M., of Watertown, as a member of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for the term ending July 1, 2003.

PUTRA, SUSAN M., of Watertown, as a member of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for the term ending July 1, 1999.

Senate Bill 69

Relating to: requiring cemetery authorities to provide for burials during each season.

By Senators **Moen and Rude**; cosponsored by Representatives **Montgomery, Musser, Albers, Gronemus and Sykora**.

Senate Bill 122

Relating to: an agreement between the state and tobacco product manufacturers.

By Senators **Rosenzweig, Robson, Wirch, Panzer, Roessler, Risser, Cowles, Darling, Schultz and Clausing**; cosponsored by Representatives **Bock,**



St. Bernard's Catholic Church
114 South Church Street
Watertown, Wisconsin 53094

Senator Judy Rotson
Senate Committee on Human Services and Aging
P.O. Box 7882
Madison, WI. 53707

May 15, 1999

Dear Senator Rotson,

I am writing to express support for the SB-69 Bill which requires cemeteries to provide for burials during each season, including winter.

As the pastor of St. Bernard Catholic Church in Watertown I have been involved with the issue of winter burial for many years. Until a recent policy change and cemetery board reorganization our parish cemetery did not conduct burials during the winter months. This long-time practice was perpetuated by the very able and persuasive gentleman who has served as cemetery sexton for almost forty years. Because of his strong influence and a lack of leadership by the cemetery board (yours truly included) this policy was politically very difficult to change.

In all honesty, our experience has shown that many families do not mind having the remains of the deceased stored in one of our small mausoleums during the winter months with actual burial in the spring. However, we have had several who felt very strongly about our winter burial policy because it made it virtually impossible for them to be present for the burial of a loved one.

SB-69 would encourage all cemeteries to be more



St. Bernard's Catholic Church
114 South Church Street
Watertown, Wisconsin 53094

Sensitive to the feelings and needs of all grieving families and would make it easier for cemetery boards of oftentime small and/or very old cemeteries to update and up-grade their burial policies to better serve their people.

I strongly urge you to vote for the passage of S.B. - 69!

Thank you for your consideration and your attentive service to the people of our great state.

Sincerely yours,
Rev. Thomas P. Marr
REV. THOMAS P. MARR
114 SOUTH CHURCH ST.
WATERTOWN, WI 53094

Suminski Funeral Home



302 S. Lake Ave.
Crandon, WI 54520
Phone 478-2322



1768 Oconto St., PO Box 44
Wabeno, WI 54566
Phone 473-3131

Tuesday, May 18, 1999

Re: SB 69

To Members of the Senate Committee on Human Services and Aging:


With regards to SB 69, we are in favor of passage of this bill for the benefit of the grieving families we serve. Year after year we see the emotional distress and the additional time commitment the delayed burial inflicts upon a grieving family. We arrange fifteen to thirty of these delayed burials every year.

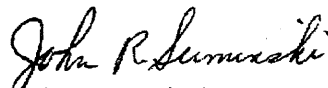
Some cemeteries in our area have taken it upon themselves to initiate a "cutoff" date for burials. Hence, we are unable to provide a timely burial even if conditions are conducive for it because of this "cutoff" date. In such cases, closure for the family is often delayed. Please do not dismiss the word "closure" as just another psychological term from a text, it is a very real (and sometimes overused to the point of making it easily dismissed) term relating to the emotions and grieving process. Due to delayed burials, the grieving process and hence the closure process may be delayed almost half a year because of blanket "cutoff" dates enacted by these cemeteries.

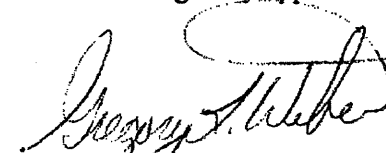
In addition to complicating the emotional and family well-being of the bereaved, delayed burials also create complications with coordinating these burials in the Spring time. Attempting to gather the family, clergy, and other service providers together again five months after the burial is much more complicated than the natural conclusion at the end of the actual service. This results in financial hardships for many, since funeral leave is used for the funeral itself, not for the delayed burial.

For these reasons, we strongly support SB 69. Allowing families the power of deciding when the burial may occur instead of allowing cemeteries to operate at their convenience is something all families should be entitled to. To put this in perspective, imagine if funeral homes operated the same way cemeteries did, with funerals at our convenience (with the potential for a 5 month wait) instead of at the family's convenience? We dread the thought. Your support in favor of this bill is greatly appreciated.

Sincerely,


Michael J. Neddo
Director


John R. Suminski
Director


Gregory L. Weber
Director

May 18, 1999

Senate Committee on Human Services & Aging
PO Box 7882
Madison, WI 53707

Dear Senators Moen, Robson, Moore, Plache, Wirch, Roessler, Rosenzweig, & Darling.

We, the undersigned members of the Berlin Ministerial Association, wish to go on record in support of SB-69. We would encourage cemeteries in Wisconsin to offer burials during all seasons, including winter.

Sincerely,

Pat J. Zullo

Grace Lutheran
Berlin, WI 54923

Deborah A Zelusky
Berlin Christian Church
Berlin, WI 54923

Robert Blackburn
United Methodist
Berlin, WI 54923

Rev. Kenneth N Hennrich
St. John Lutheran
Berlin, WI 54923

Flury, Kelley

From: Steve [wttnucc@execpc.com]
Sent: Thursday, April 01, 1999 12:03 PM
To: Sen.Robson
Subject: Re: SB-69

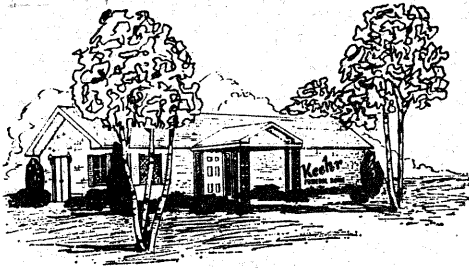
Dear Senator Robson,

grace and peace to you in these holy days leading up to Easter.

I write in support of the Winter Interment Act, SB-69. As a parish pastor, I know how difficult the grieving process can be for families who have lost a loved one. I have been privileged to guide many families through the process of gathering, planning a funeral, and interring the remains of their loved one. I believe SB-69 would be a great aid and comfort to grieving families in providing them the opportunity to complete this process at the time of their choosing.

Thank you for your kind attention.

Yours truly,
Rev. Steve Savides
First Congregational UCC
120 Kuckkan Lane
Watertown, WI 53094
wttnucc@execpc.com



Keehr Funeral Home

Ross Keehr, Director
HIGHWAY 29 - P.O. BOX 426 ☆ SPRING VALLEY, WI 54767
PHONE (715) 778-5501 OR (715) 778-4435

Following is a list of small, church cemeteries that I deal with that bury year round.

- 1) St John's Lutheran Cemetery, Spring Valley
- 2) Gilman Lutheran
- 3) Spring Lake Lutheran
- 4) St Michael's
- 5) St John's Lutheran, Hatchville
- 6) Martell Lutheran
- 7) Sacred Heart Catholic
- 8) Wilson Lutheran
- 9) Woodside
- 10) Peace Lutheran
- 11) Lone Pine
- 12) Sunset Memorial
- 13) Our Saviors Lutheran
- 14) Rush River Lutheran
- 15) St Joseph's Catholic
- 16) St Francis Catholic
- 17) Martell United Methodist

Non-Church affiliated cemeteries

- 18) Beldenville
- 19) Reed
- 20) Poplar Hill (prefer no winter burials, but have made exceptions)
- 21) Spring Lake
- 22) Baldwin

The gravediggers at these cemeteries have separate summer and winter fees.
Examples of these fees are shown below:

Ex. 1)	\$200.00 summer	\$300.00 winter
Ex. 2)	\$300.00 summer	\$400.00 winter
Ex. 3)	\$250.00 to 275.00 summer	Winter: Additional \$25-100 depending on snow and frost)

Respectfully Submitted,
Ross Keehr

Remarks on Senate Bill 69

Not long ago a man spoke to me of his pain and sorrow. Two months prior to our conversation his eight year old grandson had died in a snowmobile accident. He came to me because his trauma was great and because his anguish was renewed by recently attending the spring burial of his beloved grandson.

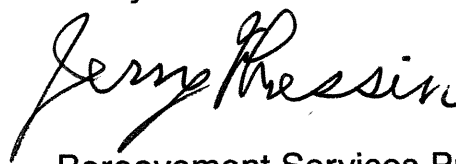
He shared with me these words, "It just starts all over again, whatever progress I had made was gone. It was horrible." His response was typical of many with whom I have spoken as a grief therapist. The deeper the emotional connection the more crucial it is that the burial occurs within a reasonable time. Two months after the death is not a reasonable time.

In J. William Worden's widely read book, Grief Counseling and Grief Therapy he describes the four tasks of mourning. Task 1 is to accept the reality of the loss. This first task is a prerequisite for the other three. Postponement of the interment of our loved one negatively effects our ability to perform Task 1, acceptance of the loss. We cannot heal if we do not grieve and we cannot grieve while we wait for spring burials.

Please pass SB-69 so that others are not traumatized. Burials delayed are sorrow prolonged.

Sincerely,

Jerry Kressin M.S.E.



Bereavement Services Provider

Keehr Funeral Home

Spring Valley, WI

May 19, 1999

Senator Judy Robson
112 N. State Capitol
P.O. Box 7882
Madison, WI 53707

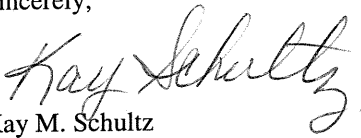
RE: Winter burials, Senate Bill 69

Dear Senator Robson:

I am writing to ask your support of the above bill. My mother passed away in early March of this year and we could not have the burial until April 10. My mother lived in the northern part of Wisconsin. My family found it very traumatic to have to go through the burial at a later date. My sister lives in Arizona and she could not be here for the burial. We would appreciate anything you could do to support the above bill and give families the option of a winter burial.

Thank you for your consideration of this bill.

Sincerely,


Kay M. Schultz
416 Rita St.
Verona, WI 53593

Patricia A. Sedlock

1557 Knoxville Road
Lynn Center, IL 61262
Home Phone 309 476 8284

May 10, 1999

The Honorable Judy Robson
112 N. State Capitol
P.O. Box 7882
Madison, WI 53707

Dear Senator Robson:

I am writing to ask your support of the above bill. I am a 45 year old daughter of a woman who passed away in your state and was denied a timely burial.

On December 27th, 1996 my mother passed away at the age of 72 years old after a short battle with cancer. She had been a resident of Wisconsin for most of her life. Her final months were spent in Eau Claire. Mr. C. Keith Edison of Independence was in charge of her funeral arrangements. Mr. Edison informed us at the time of my mother's death that the entire process of her burial would extend over several months since she had passed away after December 1st. No gravesites were opened after that date until spring of the following year. No choices! No exceptions!

The delay in the final closure of my mother's life created both mental and financial hardship to my entire family. The thought of my mother's body being stored away in a cement block "garage" until the ground thawed was very unsettling. I constantly pictured her laying in that building. I wondered if the building was secure, or if someone could break in and disturb her body. Since I live 350 miles away, my questions could not be easily answered. The mental pictures became worse with time. Financially, my mother's family was forced to make a second trip of several hundred miles to be present for the final closing. Only a couple family members and one friend came. The procedure itself reminded me of a mass burial from a disaster that you might see on television. The caskets accumulated over the past months (22 in my particular case) lined up and ready for burial all at once. The condition of the cemetery grounds after this mass burial is another reason to consider as a disadvantage of these practices.

It has never been impossible to thaw the frost in an area that needs to be dug in the winter, so it is not impossible to open a gravesite in winter. With modern technology, winter burial procedures must be even easier now. Even if additional costs need to be incurred, I am sure had we been offered the option of putting my mother to rest at the time of her death, we would have paid it with no question. It most certainly should be our right to make that decision ourselves instead of by the cemetery people.

Thank you for your time in considering this bill from my view point.

If you would like any further information or would like an extension of my views or feelings, do not hesitate to contact me.

Sincerely,



Patricia A. Sedlock

April 15, 1999

To: Ross Keehr
Spring Valley Funeral Home
Spring Valley, WI. 54767

This letter is in regards to the immediate burial of a family member. This testimony is to convey to whom it may empower, the feelings of a family who has had to have two delayed burials within recent years; my grandmother and then my father. This emotional trauma cannot be described adequately by words. One goes through the grief of death, visitation and a funeral service and yet, there is no real closure because the burials could not take place. However within eight weeks, the sharp knife of burial for our loved ones was before us. No family should have to be put through this undeemed circumstance if at all possible for the body to be buried.

Any steps, within reason, should be allowed so that the burial may take place immediately following the funeral service. Any family who has had to go through this very unfortunate dilemma will testify to the undue stress of emotional drain. Please consider the family's emotional needs when voting upon the immediate burial of a family member.

Respectfully Submitted,

Nancy Ellingson



W2817 570th Ave.

Elmwood, WI. 54740

Subscribed and sworn to before me
this 16th day of April, 1999



Deputy Clerk of Court, State of WI
term ends 01/01/01

TO: Mr. Jerry Brown, Chandler Wilbert Vault Co.

This memorandum will deal with the issue of possible liability to a cemetery that could result from winter storage of dead human bodies awaiting spring interments. The right to a decent christian burial is axiomatic in civilized society. The prevailing view in this country is that, although there is no property right in the commercial sense, there is a quasi-property right in the decedent's body vesting in the nearest kin. This right arises out of the duty of the relatives to bury their dead, and includes the right to possession and custody of the body for burial, and the right to maintain an action to recover damages for any indignity or injury done to the corpse. Sworski vs. Simons, 208 Minn. 201, 293 N.W. 309 (1940); Koerbe vs. Patek, 123 Wis. 453, 102 N.W. 40 (1903); Larson vs. Chase, 47 Minn. 307, 50 N.W. 230 (1891); see, Annotation, 17 ALR. 2d 771, Civil Liability of Undertakers for Acts or Omissions Relating to Corpse; 22 Am. Jur. 2d, Dead Bodies (1968). Implicit in the contract for funeral services is the duty to protect the feelings of the individuals effected. Fitzsimmons v. Olinger Motuary Association. 91 Colo. 544, 17 P. 2d 535 (1932).

Thus, there is a duty to the next of kin to provide a dignified and comfortable resting place for the deceased, and the breach of this duty will result in liability for mental anguish and humiliation. 17 ALR 2d, 771, supra. This duty of care for a dignified and comfortable resting place could be breached by winter storage with resulting mental anguish and humiliation to the relatives. Additionally, the mental strain on the relatives of the deceased after undergoing the trauma of losing a loved one, is prolonged knowing that interment will transpire at some unknown time in the future. This emotional strain is incomprehensibly intense and should be given the highest priority. This is in addition to the legal liability of the cemetery.

It was once universally held that an action for mental anguish could not be maintained absent physical contact or pecuniary loss. This rule is changing with increasing speed and the litigious society of today, and should not be depended upon to insulate oneself from liability. Prosser, Torts, 4th Edition. In essence, once the duty of proper care is established, there is liability to all foreseeable parties: viz, spouses, children or the next of kin.

In my research of the authorities, there were no reported cases directly on point, but the trend of analogous cases would seem to project a high duty to the cemetery during winter storage. The majority of the reported cases deal with the liability of undertakers, although liability is generally based upon a bailment of the deceased's body, thus, liability has been imposed upon cemeteries, physicians, hospitals, common carriers, and telegraph companies. 22 Am Jur 2d, supra.

One area that has been discussed in a number of reported cases is diametrically opposite to our winter storage issue, that being the removal of bodies from interment. Owing to considerations of public health and welfare and to the respect for the dead and the feelings of the survivors, the courts are reluctant to sanction the removal of a body after interment. Jesus P. N.C. Church v. Soklowski, 159 Minn. 331, 199 N.W. 81 (1924). There is a parallel between winter storage and exhuming. The court in dealing with cases of exhuming focuses their attention upon the feelings of the survivors and the presumption that a body should remain in interment. In dealing with winter storage the focus would be on the feelings of the survivors and the presumption that a body should be interment and not held in limbo for a substantial period of time. The feelings of the survivors in knowing that their loved one has not yet reached its final resting place and then the deep emotional trauma of any acts or omissions to the decedent's body or casket could render substantial liability to the cemetery.

In Renihan v. Wright, 125 Ind. 536, 24 N.E. 822 (1890), the court found an undertaker liable who breached an agreement with the parents of the deceased child to keep the child's body in a vault until ready for burial. He negligently allowed the body to be taken away and buried before the intended burial date. Therefore, the undertaker was found liable to the parents for their mental anguish on the ground that he knew or should have known, that the breach of his contract would result in injuries to the parents feelings. In Spiegel v. Evergreen Cemetery Co., 117 N.J. 90, 186 A. 585 (1936), a cemetery was found liable for interment of a body for violation of an agreement to await the presence of the family. It is possible, through simple human error that a body in winter storage could be buried before the intended time, thereby making the cemetery liable for mental anguish to the next of kin. Further, in Wright v. Beardsley, 46 Wash, 16, 89 P. 172 (1907), a cause of action for mental anguish was found by the court for the decedent's relatives. The court found a duty not to cast a body by the way, or to wrongfully mutilate, or to dispose of it in a grave without covering it. In winter storage a body is being cast into a temporary storage facility to await interment.

Liability has also been found for the breach of care in the transportation of a body. In Lindh v. Great Northern Railroad Company, 99 Minn. 408, 109 N.W. 823 (1906), the railroad was found liable for not having properly protected the casket while in transit. In that case damages were awarded based upon the fact that the casket was not protected from the rain. In Lyles v. Western Union Telegraph Company, 77 S.C. 174, 57 S.E. 725 (1907), liability was imposed upon the telegraph company, for failure to deliver a telegram, thereby resulting in the body being left exposed and the burial delayed. Thus the court viewed the emotional feelings of the survivors quite empathically, and it did not hesitate to impose liability.

The reported opinions state that the damages incurred are incapable of measurement, and most of the courts recognize that substantial damages will result. Furthermore, if the court would find that the conduct of the cemetery was wanton, malicious, grossly negligent, or in reckless disregard of the rights of others, or the equivalent of an intentional violation of their rights, punitive damages could be awarded.

Punitive damages would then be available in addition to compensatory damages.

In summation, although I found no reported cases clearly on point, it is my firm belief that in viewing the magnitude of the harm and the resultant legal liability vis-a-vis the additional work of winter interment, it would be a prudent move to change the current winter storage procedure.

Deferred Interment-

An impediment

To Grief Resolution

By Jerry J. Brown

The practice by some cemeteries of not burying the dead during the winter months flies in the face of all that funeral service espouses in terms of grief, resolution, reality and the value of the graveside committal service.

Since the late 70's, we have organized and conducted a series of "Winter storage/spring interment" seminars involving cemetery personnel, clergy persons and funeral directors to explore and assess the practice of "deferred interments."

The climate and posture of these meetings has been "amicable" and the focus of our presentation, with the involvement of Dr. Robert C. Slater, has been simply, "What is best for families of the deceased"?

A compendium of our concerns was presented to the FDA board in 1985 and is presented herewith . . .

Compiled for Members of MFDA
Board of Directors

SUBJECT: "The Negative Effects of Winter Storage/Deferred Interment"

For the past five years, members of MFDA, eminent educators in the field of funeral service and the management of Chandler-Wilbert Vault Co. have endeavored - through formalized meetings and seminars - to portray to clergy persons and cemetery officials the serious emotional and psychological ramifications of Deferred Interments as they affect the families and friends of the deceased.

Herewith are some of the problems which I have listed under two categories i.e. 1. Abstract (psychological and emotional affecting families), 2. Economics and Logistics (affecting funeral practitioners).

ABSTRACT

1. The psychological and emotional impact of "a death" is potentially prolonged if the surviving family members are told that the body will be stored in a cemetery building during the winter months until it can be interred in the spring.
 - A. "Winter storage" negates the "resolution of grief" process.
 - B. The implications of "winter storage" can be very detrimental to a family's "healthy acceptance" of a death, e.g., visions of the effect of elements, vandalism, sanitation factors, etc.

- C. Latent committal services and final disposition can conceivably reopen the wounds of grief, whether or not the family is present during the spring burial.
- D. Cemetery conditions during the spring months are usually desolate and bleak, i.e. high water tables, mud, etc. Environment of this type does nothing to assuage the pangs of grief and will probably reignite the total grief syndrome.
- E. Accepting the finality of death is one of the prime factors in the therapeutics of grief. Postponement of the interment for several weeks or months may seriously impede this psychological and emotional convalescence.

ECONOMICS

- 2. We are told that the economic affects of winter/storage/spring interment upon funeral establishments are, for the most part, harmful.

Herewith are a few examples where winter storage/spring interment can produce unhealthy fiscal results:

- A. Creating two distinct labor cost factors, i.e., actual funeral service and final spring interment.
- B. Causing a drain on available manpower (especially when several spring interments are scheduled in short periods of time).
- C. Man hours required for cleaning, dusting, and preparing caskets for burial after several weeks of storage.
- D. Additional body preparation procedures (embalming) where knowledge of winter storage exists.
- E. Additional paper work and bookkeeping (where applicable).
- F. Ever present potential liability factors (even though clearly defined as cemeteries' liability).
- G. Increased complexities in scheduling and notification procedures, e.g., cemetery personnel, families, friends, and clergy.
- H. Additional fleet and energy use (especially in cases involving distance).
- I. Elongating final funeral bill payments and causing cash flow depletions.
- J. Other overhead components emerging as a result of conducting spring interments.

Our efforts have been fruitful in terms of many cemeteries acquiescing to "optional winter interment" with accelerated opening and closing charges.

X Fairmount tomb reportedly robbed

Police: One body taken in break-ins

By Karen Bowers

Rocky Mountain News Staff Writer

Police say they suspect satanism in a series of grave robberies and a reported body snatching from Denver's Fairmount Cemetery.

Although a cemetery official yesterday staunchly denied the story, police sources said Fairmount has been plagued in recent months by break-ins at a mausoleum.

Officers said the body of a girl — placed in the mausoleum about 70 years ago — was taken during one incident. Partial remains of several other people also have been stolen from the mausoleum, they said.

The thieves reportedly left behind satanic graffiti.

Most officers were tight-lipped about the vandalism investigation yesterday, and none of the five officers who confirmed details of the case would speak on the record.

Concern for the families whose relatives are buried at Fairmount is apparently a major reason why, in one officer's words, the investigation has been very "hush-hush."

One officer said that offense reports detailing the crimes have been hidden, while another officer said the reports have simply been carefully worded and purposefully vague.

"Some things the public does not need to know," said Capt. James Collier, who commands the police district that includes the cemetery. "Nothing would be served by it."

"There are some sensitive things that would be devastating to families. There are literally thousands of people in Colorado with loved ones out there."

C. Frank Hegner, president of the Fairmount cemetery company, admits that vandalism is a continuing problem at Fairmount and other cemeteries, but he flatly denied yesterday that any graves or the mausoleum had been robbed.

"Vandalism comes up from time to time," he said, "but it's not true that they've taken a body. I don't know where that came from. Whoever told you that, it's not true. What you've stated to me is not correct at all."

A police officer said yesterday that the vandalism has apparently been going on for about six months but that cemetery officials did not notify police of the problems until approximately one month ago.

"The cemetery wanted to keep it under wraps, too," he said. "It's real sensitive stuff."

Police arrested seven trespassers at the cemetery Friday night. It could not be learned yesterday if those arrested were connected to the grave robbing investigation.

Police also confirmed that Denver's Metro-SWAT unit is taking a crash course on satanism in part because of the events at Fairmount.



Easter preparation

Deacon Vern Rompot of the Basilica ception, 1530 Logan St., decorates a tomb with flowers and garlands donated by parishoners for this morning's Easter service.

Senate bill forces cemeteries to offer winter burial option

By K. DARCY HANZLIK
Times Staff Writer
ST. PAUL — Sauk Rapids funeral director Joe Furey has about 10 bodies in cold storage because of

Sturgeon Lake, authored the bill because two years ago a cemetery kept his mother's body in cold storage for months.

RED WING Republican Eagle

Two views on visitation of Nazi graves

The Appleton
Volume 15, Number 2, Spring 1991
Wilbert, Inc., P.O. Box 147, Forest Park, IL 60130

Deferred Interments ...are they necessary and/or evil?



Jerry Brown tells a story "The last evening we had was a year ago, and a minister got up and said 'When I heard they don't bury dead in certain parts of Minnesota, and that thing

BILL WOULD REQUIRE WINTER BURIALS

St. Paul — Digging graves during a Minnesota winter is no easy task, so many cemeteries put bodies in cold storage until the ground thaws in the spring. That tradition may change under legislation proposed by a state senator who's angry he had to wait five months to bury his mother.

Senator Florian Chmielewski, DFL-Sturgeon Lake, introduced a bill Thursday that would require winter burials.

"And some places even send you a bill charging you for storage. Nothing is worse than getting a bill to store a dead relative. Families should have the option of paying more and getting the process done with," Chmielewski said.

Waiting for spring burial can take toll

By Dennis Dalman

Waiting for spring to bury a loved one can take an emotional toll on the living, according to Tom Anderson, co-owner of Anderson Funeral Home in Alexandria.

Like many funeral directors, Anderson supports a proposed bill that would require cemeteries to offer winter burial as the option of the family. The bill is being offered by Senator Florian Chmielewski (DFL-Sturgeon Lake), who suffered stress after the winter delay of his mother's burial two years ago.

"We'd rather do it in the winter," said Anderson. "It makes it much easier on the family. Otherwise, after the winter funeral, everybody leaves with a feeling of incompleteness. And the living family then has to return for the spring burial. It's like

grieving twice." In the winter months, about 80 percent of Anderson Funeral Home burials take place immediately following the funerals.

Anderson noted that winter burials are more expensive, usually about \$250 rather than the \$150 customary for warm-weather burials. But there is, he added, a reason for the extra cost, such as the extra expense involving ground thawing machines.

Years ago, bodies had to be kept in cold storage all winter because of the lack of specialized equipment. It was only in the last 15 years or so that winter burials became more common, Anderson noted.

Nowadays, some bodies are stored in winter mausoleums for a number of seasons. For instance, some cemetery associa-

tions have policies barring winter burials. In some rare cases, the families of the deceased actually request springtime burials.

Most mausoleums charge \$20-\$30 for winter storage.

About three-fourths of the cemeteries in the Douglas County area will do winter burials, said Anderson.

Dana Hetland of the Roy-Holland Funeral Home in Osakis agrees that, ideally, no body should have to wait for spring burial.

"We can send a man to the moon, we should be able to bury the dead in winter," said Hetland.

Nine of the 10 cemeteries Hetland deals with allow for winter burials. One, Nelson Cemetery, does not (see related story).

"One man was terribly bothered because his wife could not be

buried until spring," Hetland recalled. "He just couldn't grieve properly until his wife was buried."

Fortunately, said Hetland, such disappointments are not common. In the Osakis area, an appointment gravedigger is willing to go anywhere to open a grave, even in the coldest months. Recently, the man upon special request even dug a grave in the winter area for a man who died in the Osakis area.

Hetland said he would like to support the Chmielewski bill, but he is concerned about the possibilities of bureaucracy that might attach. He'd rather that communities work together to resolve the problem.

"The community should get together with the cemetery

Burial Alexandria, Mn. The Echo

associations and work it out their own way to do it, rather than have a law. I'd like to see a bill that would require winter burials if families agree to pay the extra expense of digging through frozen ground.

Other news/
Bill would require cemeteries to have option of winter burials instead of storage
Digging graves during a Minnesota winter is no easy task, so many cemeteries put bodies in cold storage until the ground thaws in the spring.

Senator Chmielewski Introduced - S.F. No. 402 referred to the Committee on Veterans and General Legislation

- 1 A bill for an act
- 2 Relating to cemeteries; providing for burials in the winter season; proposing coding for new law in Minnesota Statutes, chapter 306.
- 3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 4 SECTION 1. [306.99] [WINTER BURIALS.]
- 5 Each municipal, town, or other cemetery governed by this chapter or other law shall, so far as possible, provide for burials at all times of year including winter. A cemetery may make an additional charge for the cost of a burial during difficult weather.

Burial... turn to Page 14A

Tomb is desecrated by vandals

OSHKOSH — What may have been a gruesome pre-Halloween prank was discovered about 7:30 a.m. Sunday when a small secluded mausoleum at Lake View Cemetery, 2786 Algoma Blvd., was found vandalized.

A casket was found open and portions of the remains of a 55-year-old Oshkosh man were missing. The man had been dead nine years.

Winnebago County Sheriff Terry Footit said the man was not a controversial figure in the city. "I don't know what they were after. Hopefully someone will see the remains and talk about it."

Footit said he is not ruling out that it may have been a pre-Halloween prank.

The license number of a car seen in the vicinity has been given to police as a possible suspect, according to Detective Neil Cowling.

Police said the 1½ inch thick marble memorial had been pried off, along with a concrete slab that sealed the crypt where the casket had been sealed.

The outside mausoleum contained 16 individual crypts arranged in four rows.

Police were notified of the incident by a visitor to the cemetery who had been removing flowers in accordance with cemetery rules.

The man noticed the open casket in the crypt and contacted a cemetery officer.

The top of the coffin was on the ground and the bottom was leaning against the inside of the crypt.

Hinges on the left side of the coffin were broken and it had been opened 12 to 14 inches, police said, to remove parts of the remains.

The head, left hand, and lower leg of the corpse, were missing. The left foot, still enclosed in a sock, was found 11 feet north of the coffin.

A local mortician confirmed that the missing body parts had been pulled off and not cut away from the corpse. Relatives have asked that the identity of the corpse not be revealed. The man's widow reportedly still lives in the city.

Police said a second crypt, which was empty, also had been disturbed.



BADGER STATE CEMETERY ASSOCIATION

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March 31, 1999

Senator Judy Robson
Box 7882
Madison, WI 53707-7882

Re: Senate Bill 69

Dear Senator Robson:

I would like to submit this written testimony to your Committee on Human Services & Aging for its April 6 hearing.

My name is Tim Tysver. I am the Vice President of Badger State Cemetery Association, and I write for BSCA. BSCA represents hundreds of cemeteries in Wisconsin. I am employed by The Loewen Group, operator of fifteen cemeteries in Wisconsin and over 500 cemeteries and 1100 funeral homes in North America. I owned and operated Highland Memory Gardens in Madison for twenty years prior to May of last year. I have been a member of the Cemetery Advisory Committee of the Wisconsin Department of Regulation & Licensing for nine years. I am past president of the only other state-wide cemetery association, Wisconsin Cemetery Association.

We strongly oppose this Bill. It would create an undue, perhaps impossible, burden for the small cemeteries particularly in the northern part of the State. Accordingly, we feel that jurisdiction over winter burials should remain in local hands.

Senator Robson
March 31, 1999
Page 2 of 2 pages

Let me give you an example of such a burden. Let's consider a cemetery in northern Wisconsin that does ten to fifteen burials per year and does not make burials during the winter months. In fact in some years there are no deaths that require burial during the winter months. The annual operating budget for this cemetery is \$15,000. In order to accommodate winter burials, this cemetery would have to invest in a much better system of plat marking (to identify graves). This system would cost, say, \$10,000 including four-foot high stakes and more complete ground marking. The costs could be much higher. The \$10,000 does not include the cost of placing the stakes in October, removing them in April, and storing them. Additionally, this cemetery would have to arrange for road improvements and regular snow plowing whether or not there are burials—just so the roads can remain passable if there should be a burial. We could be looking at an investment of \$10,000 to \$20,000 or more up front plus an annual increase in operating costs of \$3000 to \$5000 or more. Two questions: Where is the money going to come from up front? How does this cemetery authority charge a reasonable fee to recover these costs? Let's further suppose that this cemetery has no winter burials the first winter under this law. Who pays the \$3000 plus pro-rata share of the up-front costs? Say there are three winter burials the second year. Two of the families don't want to pay the additional cost for winter burial and/or are happy with the way in which things have been handled for the last hundred years. The third family must pay an additional \$3000 plus a pro-rata share of the up-front costs in order to have the winter burial.

We understand the arguments for this Bill. We just don't understand how it could work. In the case of a municipal or town or county cemetery, the local taxpayer could have to pay. Where the cemetery is private or religious, the municipality or town or county could be required, under current law, to take the cemetery over.

We urge you to reject Senate Bill 69.

Sincerely,



Tim Tysver
Vice President



WISCONSIN CATHOLIC CONFERENCE

TO: The Honorable Members of the Senate Committee on Human Services and Aging
FROM: John Huebscher, Executive Director
DATE: May 19, 1999
RE: Senate Bill 69

The Wisconsin Catholic Conference wishes to provide the Committee with information regarding the potential impact that Senate Bill 69, which requires cemeteries to provide for burials in all seasons, may have on our Catholic cemeteries throughout the state.

There are over 600 Catholic cemeteries of varying sizes in Wisconsin. The majority of our cemeteries are small parish cemeteries located adjacent to a church and owned and operated by the parish community. Four of our five dioceses also own and operate larger diocesan cemeteries which provide burials to those Catholics and their families who do not have a parish cemetery available to them.

Our religious tradition and funeral rituals call for burial of the deceased members of our community to occur quickly after a funeral mass or liturgy and that the family and friends be present as Christian witness. This of course is fulfilled, with discretion, during winter. If a burial is delayed, then the opportunity for the family, friends and community to be present at the burial is compromised.

While our Catholic tradition favors burial soon after the funeral, the majority of our cemeteries are small operations some of which do not own the necessary equipment for burying in frozen ground. These parish cemeteries may find that it is simply not practical to invest in equipment that would be used infrequently and would increase burial costs. In the instances where Catholic cemeteries are not regularly providing winter burials, the parishes are attempting to manage the cemetery in a financially responsible manner to maintain the availability of the cemetery as an ongoing ministry for the community. To the best of our knowledge no Catholic cemetery would currently deny winter burial if a delay proved unacceptable to the family and community.

It is noteworthy that Catholics are not required to be buried in a Catholic cemetery. The church provides cemeteries as a ministry. Part of ministering to family and friends of the deceased is being aware of their needs and helping the family to begin the healing process that often follows the finality of burial. A secular cemetery may not be familiar with our

Catholic tradition and practice and therefore may be less sensitive to the importance that we place on Christian witness of the burial. Therefore, SB 69 may enable those Catholics who seek burial in a secular cemetery to receive burial in winter months when they otherwise might have been denied.

It is possible that enactment of SB 69 would lead to an increase in the number of winter burials that our cemeteries provide and potentially increase burial costs for those seeking to be buried in our cemeteries. To the degree that the bill mandates accommodations for winter burials, it may limit the flexibility that Catholic cemeteries currently have to balance the needs of the individual with the needs of the community interest of maintaining the financial viability of the overall cemetery ministry. However, we also recognize that the spirit of SB 69 is consistent with our tradition for ministering to the deceased and their family.

Thank you for considering our comments.

Judith A. Klusman

State Representative • 56th Assembly District

April 6, 1999

Dear Senator Robson,

Attached you will find a letter from Mr. Dewey Matheson stating his opinions and concerns regarding Senate Bill 69, requiring cemetery authorities to provide for burials during each season.

Due to a serious heart condition Mr. Matheson can not be here today to present his letter himself. Upon his request I am distributing his letter to committee members and hope that it will be recorded as against SB69.

I thank you for taking the time to read his letter and think about his words.

Sincerely,



Judith A. Klusman
WI State Representative – 56th Assembly
District

**Dewey Mathewson
State Cemetery Advisory Committee
State Cemetery Task Force**

504B North Water Street
New London, WI 54961
Home phone 920-982-3995

Dear Senators:

1. When the cemetery is covered with snow you cannot find the landmarks necessary to locate the precise 4' x 8' space for the grave.
2. When you have the cemetery grounds plowed open, you ruin monuments, trees, shrubs, lawn, ect. Very costly mistakes.
3. Sometimes when a grave is put in the wrong place, it may not be realized for many years later when the spouse dies. Then try to locate the husband/wife's grave.
4. the terrible mess at Evergreen Cemetery in Milwaukee should have been enough to enlighten you. As a member of the State Cemetery Advisory Committee I had the pleasure of meeting two mothers, who had sons lost in that cemetery. Their sons were buried in February and could not be found. (They have since been found.)
5. If you cannot find the landmarks and if the ground is too frozen to probe, you should not go on, store it until spring.
6. Ninety percent of the 40,000 burials a year in Wisconsin are done in the 2500 not for profit, city, township, church and association cemeteries. These 2500 cemeteries, all 72 counties, and over 1800 state townships have been operating their cemeteries all the same for over 150 years. They do it right and they don't have any problem. There is no law that says we cannot bury all winter, why would you now tell them they have got to do something they know is wrong. They are the only experts in this subject. They can remember all the damages and all the mistakes, these new comers know nothing about the problems of winter burials.
Does there urgency to bury all winter have anything to do with plastic lined vaults that must be stored in warm warehouses? You figure out the urgency.

Re: SB 69

7. At a March, 1999 meeting of cemeteries in Waupaca County, all 26 cemeteries said no they will not bury in the winter. The City of Waupaca said no, Clintonville said no, Marion said no, Weyauwega said no, and all the townships in Waupaca County said no. The people that were at these meetings from Outagamie and Winnebago Counties also said no.

8. Please think of your own county, your own township, your own small city, and all non-profit cemeteries. Don't mandate laws that they do not want, and that they know from hundreds of years experience will be harmful to the taxpayers of Wisconsin.

Respectfully yours,

Dewey Mathewson

Dewey Mathewson

*I will be by my phone all day, April 6
any questions please call - 920-982-3995*

** Dewey's efforts for the cemeteries are his own views, he does not assume to be speaking for either the Task Force or the Advisory Committee.

Back burial bill

I'm writing in response to the March 29 letter by Dorothy Davis, secretary of the Oakwood Cemetery Association, Pepin. She wrote against a bill Sen. Rod Moen proposes for compulsory burial year-round. She urges other cemetery associations to oppose the bill also.

Her reasoning, and I quote: "If the committal service is made at the close of the memorial service, there is no need for a further service at the cemetery."

No need! This may sound logical to the cemetery association, but there is no way I would let a loved one be put in the ground with no family or friends present. While this opens all the old wounds again, it is also necessary for closure and healing.

With today's technology there is no excuse to refuse to bury in the winter. I urge compassionate people to write their senators in support of mandatory winter burial in all cemeteries.

Will the deceased person know I'm there? Maybe not, but I'll know!

BARBARA BARUM

Elk Mound

Date: 04/14/99
To: Mr. Ross Keehr
Director of the Spring Valley Funeral Home
From: Kathleen M. Birkel
Subject: Delay of Burial

I have recently experienced two of my family members who have been required to have a delayed spring burial due to cemetery regulations. I have found this to create additional stress and grief due to this delay. My father and grandmother both died in March. They were unable to be buried at the time of their death due to the cemetery regulations. The emotional burden this place on our family was unforgivable. We could not complete the grieving process until we knew our loved ones were at rest.

I strongly recommend that no other families experience this unnecessary trauma due to cemetery regulations.

Please forward this letter to whomever necessary to correct this situation.

Kathleen M. Birkel
4-14-99

Marilyn Jones
Notary 4-14-99

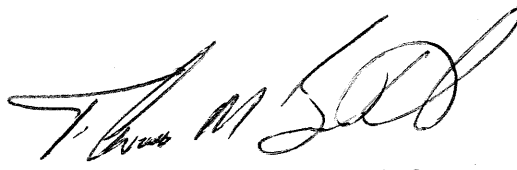
04/14/99

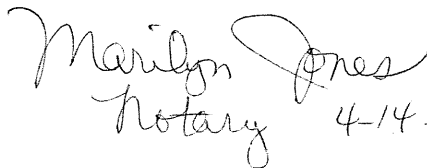
Date: 04/14/99
To: Mr. Ross Keehr
Director of the Spring Valley Funeral Home
From: Thomas M. Birkel
Subject: Delay of Burial

I have recently experienced two of my family members who have been required to have a delayed spring burial due to cemetery regulations. I have found this to create additional stress and grief due to this delay. My father-in-law and grandmother-in-law both died in March. They were unable to be buried at the time of their death due to the cemetery regulations. The emotional burden this place on our family was unforgivable. We could not complete the grieving process until we knew our loved ones were at rest.

I **strongly recommend** that no other families experience this unnecessary trauma due to cemetery regulations.

Please forward this letter to whomever necessary to correct this situation.


4-14-99


Notary 4-14-99

04/14/99

BTM 00025/200 FORMS BTM 00024/400 FORMS

PHONE MESSAGE	TO	Judy	DATE	8/18	TIME	2:30pm
	FROM	Scott Stevenson	AREA CODE	715	EXT.	
	COMPANY	Clintonville, WI	NUMBER	823-2450		
	PAGER		MOBILE		FAX	
MESSAGE	SB 69 - May 19					
	Calling in support of Winter Burial.					
	- All their cemeteries close in winter in Clintonville					
	- Many relatives live far away & 2 trips are difficult					
	SIGNED					
	<input type="checkbox"/> PHONED	<input type="checkbox"/> CALL BACK	<input type="checkbox"/> RETURNED CALL	<input type="checkbox"/> WILL CALL AGAIN	<input type="checkbox"/> WAS IN	<input type="checkbox"/> URGENT

BTM 00025/200 FORMS BTM 000

PHONE MESSAGE	TO	Judy	DATE		TIME	
	FROM	Richard Beil	AREA CODE		EXT.	
	COMPANY	Clintonville Rhodes + Beil Funeral Home	NUMBER			
	PAGER		MOBILE		FAX	
MESSAGE	SB 69 - Winter Burial					
	- He's a funeral director.					
	- He supports the Bill					

BTM 00025/200 FORMS BTM 00024/400 FORMS

PHONE MESSAGE	TO		DATE	5/11/99	TIME	
	FROM	Charles Buswell	AREA CODE	715	EXT.	
	COMPANY	Buswell Funeral Homes	NUMBER	261-2231		
	PAGER		MOBILE		FAX	
MESSAGE	FROM Black River Falls - OUT OF					
	Supports SB 69 - Winter Funerals DISTRICT					
	- Because of business & personal reasons					
	SIGNED					
	<input type="checkbox"/> PHONED	<input type="checkbox"/> CALL BACK	<input type="checkbox"/> RETURNED CALL	<input type="checkbox"/> WILL CALL AGAIN	<input type="checkbox"/> WAS IN	<input type="checkbox"/> URGENT

05/15/99

Senator Judy Robson
Senate Committee On Human Services & Aging
P.O. Box 7882
Madison, Wi 53707

Dear Honorable Chairman Robson,

Re: SB-69 Winter Burial Bill

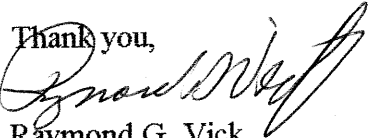
We are writing to you to express our concerns regarding the Winter Burial Bill. As funeral home owners we are constantly confronted with grieving families. We understand the grief process and the importance of closure. Please, if you would imagine for a moment, a local daughter who has just learned that her mother has passed away in a car accident. She calls her brother in California and another sister in Alabama of the news. The families fly into town for the funeral and it's December 1st. The temperature outside has been 30 -40 degrees. Through the arrangement process, they're informed the graves her parents have purchased are located in a local cemetery that does not bury from November 1st to April 1st, no matter what the weather conditions. To their amazement, they learn that Mom will not be buried until after April 1st and realize they will need to decide whether or not would they like to be present for the spring burial.


Until last year, we had one church owned cemetery in Watertown that refused to bury in the winter. The above scenario was not an uncommon occurrence. In today's transient society, very rarely do all the children or close family members reside in the same state. We are not living in the same society as 100 years ago. My great-grandparents settled in a small town in western Wisconsin, Wauzeka, close to Prairie du Chien. This was and still is a typical rural Wisconsin community, with 500 residents, and that not unusual town cemetery up on a hill, over looking the Kickapoo River. All but one road is flat, located at the hill top, all the others are sloped on this steep and treacherous hill. I've stood in this cemetery on several very blistering cold winters, for a family burial. One was for my mother, in the month of January. The cemetery really has no staff to speak of. To my father's recollection, the cemetery has always buried in the winter, and Dad's 79. If they can do it, I find it difficult to believe why other's cannot.

page 2 of 2

A funeral is one of the MOST stressfull times in our lives. Why do we have to make it more difficult for grieving families? Shouldn't the decision of a winter burial be left to the family? If the weather conditions are so poor for a funeral, the immediate family is going to have a difficult time attending also. Would you like to be told that your mother is going to be held over the winter for a spring burial? Please vote FOR the passage of this bill.

Thank you,


Raymond G. Vick
721 N. Fourth Street
Watertown, Wi 53098-2910


Janet F. Vick
Same

Dead Reckoning, Or Why a State Mulls A Winter-Burial Bill

In Rural Wisconsin, Funerals
Often Wait Till Spring;
The Double-Grief Factor

By NEAL TEMPLIN

Staff Reporter of THE WALL STREET JOURNAL
OULU, Wis. — Funeral director Art Johnson parks his black Lincoln Town Car in a cemetery almost swallowed up by the woods, then ducks inside a tiny green concrete-block building.

Two lawn mowers are shoved into one corner. A couple of trampled wreaths lie in another. And there are two coffins right near the door.

"This is the Beckman casket," says Mr. Johnson, pointing to an oak coffin. "We'll take care of him when his son gets back from vacation."

Then Mr. Johnson and Tom Nykanen, an assistant, walk over to the other coffin and grab the handles. "This one is Opal," grunts Mr. Nykanen, as they hoist the coffin onto a cart and roll it outside.

Opal Anderson, 91 years old, died Dec. 19. William Beckman, 93, died Jan. 31. Since then, their embalmed remains have been stored in the Oulu vault, awaiting the spring thaw and the reopening of area cemeteries.

A Cold Tradition

Delayed burials are a common practice in hundreds of cemeteries scattered across the Northern U.S. Although city cemeteries often remain open up here — some use propane-powered heating devices to warm the ground, or giant back hoes or even jackhammers to chip through frozen soil — many country cemeteries close in November or December and don't reopen until April or May.

But that may soon change in Wisconsin. State Sen. Rod Moen, a Democrat from Whitehall, recently introduced a bill that would compel cemeteries to bury all winter, as long as families are willing to foot the extra cost. Minnesota passed a similar law in 1993. Hearings on the Wisconsin bill are scheduled for May 19. And Sen. Moen, the state Senate's assistant majority leader, says he has a "better than 50/50 chance" of getting it passed before next winter.

Sen. Moen was moved to take action after his wife's sister died in February 1998 and wasn't buried for two months. "There was a lot of grief shed both times," Sen. Moen recalls. "It was very difficult for family members."

Arlene Hill of Wentworth, Wis., clearly remembers that feeling during the winter of 1996-1997, when her 81-year-old mother died in November, then her 26-year-old son died unexpectedly in February. Both bodies were stored in the tiny Oulu vault and buried within 15 minutes of each other on the same late April day in nearby Pine Glade cemetery.

"I told the funeral director I wanted my mother buried first and then my son, because I knew after my son was buried I'd break down again," she says.

Deep Divisions

Sen. Moen's quest, though, has created friction between funeral homes, which generally favor the bill, and cemeteries, many of them small and underfunded, that see it as burdensome and unrealistic. The Wisconsin Funeral Directors Association, whose members have long fielded complaints about delayed burials from families, is solidly behind the Moen initiative. "Funeral homes are on the front lines," explains Mark Paget, the association's executive director. "The cemeteries aren't directly involved with the families."

But many cemetery operators say delayed burials are just a fact of life in

Please Turn to Page A6, Column 5

WALL STREET JOURNAL

MAY 7, 1999

A State Weighs Winter-Burial Bill

Continued From First Page

Wisconsin's frozen northlands. The idea of winter burials must be coming from "some senator from down south," says Dan Hildebrandt, sexton of the cemetery in the nearby town of Lake Nebagamon. Moreover, cemetery operators predict that families that insist on winter burials probably aren't prepared for grave-digging costs that will run double or triple the cost of a warm-weather burial.

Still, many think the delayed-burial process is undignified. William Downs III, president of the state funeral directors association, has long bristled over the vault in Oulu, where gardening equipment and coffins sometimes share the same space. The coffin "deserve a more dignified place," says Mr. Downs, who owns funeral homes in Superior, Wis.

For Mr. Hildebrandt, sexton at Lake Nebagamon, the vault is still an improvement over the old days. He recalls his father, who was sexton before him, laboring for hours on end to dig graves through 4 or 5 feet of frost with a pick and an ax. "He would just chip away," he says. "It would take him a day or two."

Winter burials are even a tougher proposition in Calumet, Mich., which got 231 inches of snow this winter. The Lake View cemetery there used to bury year round. But heavy snow was so common that gravediggers would sometimes dig holes in the wrong places, says Charles Ryan, whose family owns a Calumet funeral home. Every spring, "they'd have to make adjustments," he says.

In the 1930s, Lake View built a huge brick vault with metal racks where coffins can be stacked several layers high. Last week, as spring burials began, there were 61 waiting bodies.

To the hardy residents of Calumet, whose descendants came here to work the copper mines, this is business as usual. "It's either keep them in your own freezer or keep them there" in the vault, says Marsha Klein, whose 83-year-old mother died in January and, until she was buried ear-

lier this week, was being stored at Lake View. The vault is visible from the road, and Ms. Klein's ritual had been, as she drove past, to say, "Hi, Mom."

When the ground thaws, Lake View cemetery doesn't waste much time. It doesn't even permit burial services for spring burials. "We like to get that vault emptied out as soon as possible," explains Anthony Locatelli, who serves on the cemetery board. "If you're having burial services, it slows things down."

For Opal Anderson, whose remains have lain in the Oulu shelter since she died last December, a short service is being allowed. Her daughter, Barbara Woolmer, had hoped that she would be buried right away. But the tiny cemetery in Brule, where she lived, had just closed for the winter and into the Oulu vault her body went.

Ms. Woolmer remembers when her father died in 1962 and was buried in the Brule cemetery in February. "It was 50 degrees below zero and it was windy. But they just did it," she recalls. But for at least the last decade, the Brule cemetery has stopped doing winter burials.

Mrs. Anderson, a former Brule postmistress, drew about 40 people for her memorial service in December. But only six people are on hand on a recent brisk spring day for her burial. As the wind whisps through leafless birches and aspens towering over the hilly cemetery, a minister says a short prayer. Then Ms. Woolmer, her voice breaking, reads a poem. The service is over in about five minutes.

Stanley Beckman, whose father's remains spent the winter in the Oulu vault, buried his father last week. But he had resigned himself to the spring-burial ritual. "It's just part of living in this part of the country," he says.

Mr. Beckman recalls visiting New Orleans, where most people are buried above ground in crypts because of the high water table. "That seemed strange to us," he says. "You do what you have to do."

AN ACT

Distributed By
Secretary of the SENATE
Room 231, State Capitol
St. Paul, 296-2343

1
2 relating to cemeteries; providing for burials in the
3 winter season; prohibiting relocation of cemeteries
4 without the trustees' or owners' consent; clarifying
5 the eligibility for burial in a soldiers rest plot;
6 amending Minnesota Statutes 1992, section 375.37;
7 proposing coding for new law in Minnesota Statutes,
8 chapters 306; and 307.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

10 Section 1. [306.14] [RELOCATION.]

11 A cemetery may not be relocated without the consent of the
12 trustees.

13 Sec. 2. [306.99] [WINTER BURIALS.]

14 Each municipal, town, or other cemetery governed by this
15 chapter or other law shall, so far as possible, provide for
16 burials at all times of year including winter. A cemetery may
17 make an additional charge for the actual cost of a burial during
18 difficult weather.

19 Sec. 3. [307.12] [RELOCATION.]

20 A cemetery may not be relocated without the consent of the
21 owners.

22 Sec. 4. Minnesota Statutes 1992, section 375.37, is
23 amended to read:

24 375.37 ["SOLDIERS' REST" USED EXCLUSIVELY FOR SOLDIERS,
25 ~~SAIORS, MARINES AND WAR-NURSES~~ VETERANS AND SPOUSES.]

26 Any plot of ground secured and designated as a "soldiers'
27 rest" shall be used exclusively for the interment of deceased

This bill was passed in conformity to the rules of each house and the joint rules of the two houses as required by the Constitution of the State of Minnesota.

Allan H. Spear
Allan H. Spear
President of the Senate.

Dee Long
Dee Long
Speaker of the House of Representatives.

Passed the Senate on April 23, 1993.

Patrick E. Flahaven
Patrick E. Flahaven
Secretary of the Senate.

Passed the House of Representatives on May 1, 1993.

Edward A. Burdick
Edward A. Burdick
Chief Clerk, House of Representatives.

This bill is properly enrolled and was presented to the Governor on May 6, 1993.

Harry M. Walsh
Harry M. Walsh
Revisor of Statutes.

Approved on May 7, 1993, at 2:54 P. M.

Arne H. Carlson
Arne H. Carlson
Governor.

Filed on May 7, 1993.

Joan Anderson Grove
Joan Anderson Grove
Secretary of State.

Seasons to remember: Winter forces a wait for burials

By DAVE STEWART

Editor

Berlin, Wis. — Twenty-two bodies rest in coffins in a crypt beneath the simple chapel at the entrance to Oakwood Cemetery. The air is cooled to 40 degrees and months-old flowers leaning against some of the mahogany caskets are barely wilted.

With the spring thaw, families in this small Fox River Valley city soon will be attending burial services for loved ones who died up to three months ago.

Like many communities in central Wisconsin, Berlin doesn't open graves during cold or snowy winters, for cost and liability reasons. The bodies of the deceased are stored in crypts and buried only when the weather warms in April.

Funeral directors in several Wisconsin communities say winter funeral services generally constitute the family's final good-bye, the springtime burial occurs without a additional ceremony. But in Berlin, it is not uncommon for the family to request and attend another service at graveside.

That comes from a strong sense of family responsibility, said Cindy Skipchak, of the John R. Wreckel Funeral Home. "People take care of their own here," she said. "They remember their families."

"P people take care of their own here. They remember their families,"

Cindy Skipchak

On a tour of the city-owned Oakwood Cemetery on a cool, early spring afternoon, Skipchak cited evidence of this powerful sense of devotion: fresh displays of colorful flowers on the brown, still-lifeless grass covering the plots, and several headstones, missing only the year of death, reserved by still-living Berlin residents, apparently as a future convenience to their families.

However, Cindy Skipchak and her husband, John, co-directors of Wreckel's, said they think the tradition of delayed graveside services could be stressful for families to go back to. "It's hard for some families to go back to the process. It's not over until their loved ones are buried. It's not done," she said. "The Skipchaks would like families to have choices, not only whether to hold a springtime graveside service, but whether to opt for the extra expense of opening a grave in the winter, completing the farewell rites on a single occasion."

It costs about \$200 to dig a grave in Berlin during warm weather. It can cost \$600 or more when the ground is frozen or snow-covered.

If additional cost to the family was the only consideration, members of the city cemetery board said, they probably would allow the winter grave-opening option.

But board officers said that during harsh winters, snowplows had to negotiate narrow, winding and sloping roadways and might damage headstones and other property. Special equipment to thaw soil sometimes had to be set up on icy slopes; families might have to brave miserable weather to have to brave miserable weather.

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Board secretary Phil Plonke added, "If there was a problem, it would be addressed." He said that until there was a

solution to the liability problem, "we feel this is the best way out."

Most of the deceased will be buried this spring in Oakwood, St. Michael's and St. Stanislaus, the three largest cemeteries in the city.

The cemetery board charges families, through the funeral homes, \$50 for winter crypt space. The fees make up a small part of the board's \$52,000 budget, with which it must pay sextons and maintain the facilities. Board members volunteer their time.

Berlin, a close-knit community of about 5,500, calls itself the fur and leather city because many businesses owe their origins to the time when the Fox River was a major commercial navigation route for animal pelts. Today, outlet stores for major shops of leather clothing, accessories and furs dot the city's main street. The big show, according to Chamber of Commerce officials, is the Fur and Leather Days festival in late August.

Some people are so attached to this city that many residents who have moved away, but who considered Berlin their true home, return here for their final rest. The Skipchaks say that although double funeral rites cost more and require extra time, they don't pass extra costs on to their winter client families.