



NEW YORK STATE SENATOR

William Larkin

Larkin Calls For The Protection Of Veterans' Cemeteries

[WILLIAM J. LARKIN JR.](#) May 30, 2007

Senator Bill Larkin (R-C, Cornwall-on-Hudson) today announced unanimous passage by the State Senate of a bill he sponsored that prohibits cemeteries from selling veteran commemorative cemetery markers, flag holders, monuments, statues or other physical memorabilia that are over 75-years-old if these items are already located within a cemetery.

"There is currently no law that specifically regulates the sale of historic veteran cemetery markers or monuments," said Senator Larkin. "This bill protects the unauthorized purchase, sale or transfer of veteran statues, gravestones, monuments or other personal property that commemorates the life and death of these veterans. This problem was first brought to my attention by the Sons of Union Veterans of the Civil War, Department of New York. There are certain individuals who are taking advantage of the fact that Civil War artifacts like cemetery markers, statues and monuments have become particularly valuable. There have been recent cases where these valuable items have actually been removed from the cemeteries and sold illegally."

The bill (S.4835) allows cemetery corporations to purchase, sell or transfer these valuable items only if they obtain permission from the New York State Cemetery Board. The Board will only grant permission if five specific conditions are satisfied, including holding a public hearing about which veterans groups have been notified.

The five conditions that need to be satisfied state that these historic markers can only be sold for the purpose of being preserved from further physical deterioration; they are in danger of physical deterioration to the point of being unrecognizable; the funds from their sale are necessary to maintain a small cemetery--in which case a replica or other marker must be put in its place to memorialize the burial place; a local veterans' organization is consulted and approves the sale; and a public hearing is held.

The bill would punish violators with a fine of up to \$500 dollars, or up to fifteen days in jail, or both.

"It is extremely important as a society that we protect the grave sites of our veterans and ensure that their memorials which they earned and so richly deserve are not sold for profit," said Larkin.

The bill passed the Senate by a vote of 57-0 and was sent to the Assembly.