

To the House Committee hearing H.25 an Act Relating to Natural Burial Grounds

February 5, 2015

Peter Smith, Vice Chair, Stowe Cemetery Commission

We have several concerns regarding this proposed bill:

It appears that the term “Natural Burial Ground” has been defined and inserted in the current law and then made exempt from many of the regulations for other cemeteries. Since current law gives private landowners the right to create family burial grounds, which could include green burials, this bill is for the creation of natural burial ground business and should comply the current regulations as do all other cemeteries.

Re: 18VSA. 5303

We see no reason to eliminate the language giving old cemeteries prior to 1933 the ability to comply with the law although not meeting the current specifics.

Re: 18VSA. 5306

Perpetual Care funds are needed to maintain natural burial grounds as well as other cemeteries. Trails, maps, parking and access need to be maintained as well as liability insurance in case of accidents.

Re: 18VSA. 5310

Natural burial grounds should be subject to plat plans as are other cemeteries and should be required to employ GPS or another type of technology to designate location of remains.

Re: 18VSA. 5323

Establishing natural burial grounds in perpetuity with the proposed protections will last only as long as land is available or until a legislative body changes the regulation. Property values and uses change over time. A non-profit corporation doesn't ensure that burial entrepreneurs won't make money by selling plots in natural burial grounds and then abandoning the site, with the probability that the town will be responsible for the graves and the resulting cost will fall to the taxpayers.

We have the following questions for you to consider:

Who provides oversight and enforcement?

Will green burials be at least 5 feet deep as per current regulations?