

Dear Chairperson Head,

During our testimony, the Department of Housing and Community Development and the Division for Historic Preservation shared our concerns about how the proposed natural burials bill will affect DHP's ability to respond to the inadvertent discovery of historic or prehistoric burials. As we've discussed, a few small changes to the proposed law would ease DHP's concerns without weakening the bill. Below are our suggestions:

- The repeal of section 5369 is of major concern. This provision allows the Division to work with property owners and others who discover ancient burials on their land, so that the remains can be respectfully removed and re-buried in a more appropriate location. If necessary, this provision could be amended (instead of repealed) to state that it doesn't apply to burials that pre-date the effective date of the natural burial law.
- The definition of "Natural burial ground" at section 5302(10) (page 4 lines 6-8 of the draft bill) should be modified by adding, at the end of line 8, the following: "Any burial that predates the effective date of this law is not a "natural burial ground.""
- A new section 5323(f) should be added (bottom of page 9 of the draft bill) as follows:
 - (f) The provision of 18 V.S.A. chapter 107, Subchapter 1, pertaining to unmarked burial sites and the unmarked burial sites special fund, shall not apply to natural burial grounds.

In part, as you know, these suggestions are motivated by our concern that the nonprofit corporations established pursuant to section 5323(e) of the proposed bill may not be around decides in the future, and we do not think it would be appropriate for the Division for Historic Preservation to be put in the position of being responsible for these natural burial grounds.

Thank you and please do not hesitate to contact us if you have further questions.
Best, Noelle

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