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Strengthening
Vermont Local
Governments*

February 18, 2016

Honorable Helen Head, Chair
House General Affairs Committee
State House
115 State St.
Montpelier VT 05633-5301

Dear Chairperson Head

I am writing on behalf of Vermont's 246 cities and towns, members of VLCT, to comment on H. 640. As introduced, the bill would eliminate the \$500 annual cap on expenses for town cemetery repairs and allow repairs to be made in accordance with town funds kept for that purpose.

We are not sure what "in accordance with town funds kept for that purpose" means. Is the language intended to grant more discretion to the Selectboard or the cemetery commissioners? Or is it intended to require that the Selectboard or cemetery commissioners spent whatever amount is in the account, without leaving anything in reserve? If the intention is to give more discretion in spending, we could support a version of the bill that clearly expressed that.

We noted last year that there is no definition of "public cemetery" as that term is used in Chapter 107, section 18 V.S.A. 5321 and 5364. The term is used interchangeably with "Public burial ground" in Chapter 107. We urge the committee to include a definition of "public cemetery" in the definition section, 5302 and to amend language to use public cemetery consistently in the chapter. "Public cemetery means a cemetery owned, funded and managed by the municipality."

We also asked last year for municipalities to be relieved of responsibility for upkeep of private cemeteries (18 V.S.A. §5321). We know of no other type of property where neglect of the owner results in an obligation of the municipality to maintain that property.

Thank you for consideration of these comments.

Sincerely,

Karen Horn
Director, Public Policy & Advocacy

Sponsor of:

VLCT Employment
Resource and Benefits
Trust, Inc.

VLCT Municipal
Assistance Center

VLCT Property and
Casualty Intermunicipal
Fund, Inc.