- 1 Introduced by Committee on Government Operations
- 2 Date:
- 3 Subject: Health; vital records generally
- 4 Statement of purpose of bill as introduced: This bill proposes to authorize
- 5 State agencies to request certified copies of birth and death certificates from
- 6 the State Registrar, remove the requirement that the Department of Health
- 7 approve the construction of mausoleums and columbaria, and transfer the
- 8 authority over ambulance licensure from the Board of Health to the
- 9 Department of Health.

10 11	An act relating to vital records, mausoleums and columbaria, and the licensure of ambulances
12	It is hereby enacted by the General Assembly of the State of Vermont:
13	* * * Vital Records * * *
14	Sec. 1. 18 V.S.A. § 5016 is amended to read:
15	§ 5016. BIRTH AND DEATH CERTIFICATES; COPIES; INSPECTION
16	(a) Access and issuance generally.
17	* * *
18	(6) The State Registrar may authorize the issuance of certified birth or
19	death certificates to public agencies, as defined in 1 V.S.A. § 317, for official
20	purposes.

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1	(b) Certified copies.	
2	* * *	
3	(2) Only the following persons shall be eligible for a certified copy of a	
4	birth or death certificate:	
5	(A) the registrant or his or her spouse, child, grandchild, parent,	
6	sibling, grandparent, or guardian; a person petitioning to open a decedent's	
7	estate; a court-appointed executor or administrator; or the legal representative	
8	of any of these;	
9	(B) a specific person pursuant to a court order finding that a	
10	noncertified copy is not sufficient for the applicant's legal purpose and that a	
11	certified copy of the birth or death certificate is needed for the determination or	
12	protection of a person's right; or	
13	(C) an employee of a public agency authorized by the State Registrar	
14	as provided in subdivision (a)(6) of this section; or	
15	(D) in the case of a death certificate only, additionally to:	
16	* * *	
17	Sec. 2. 18 V.S.A. § 5073 is amended to read:	
18	§ 5073. BIRTH CERTIFICATE CORRECTIONS, COMPLETIONS	
19	* * *	
20	(d) If the State Registrar corrects or completes a certificate that was	
21	registered prior to July 1, 2019, he or she shall notify the town clerk or clerks	

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1	with custody of the certificate, who shall replace and dispose of the		
2	uncorrected certificate and update indexes as directed by the State Registrar.		
3	Corrected or completed originals shall not be marked "Amended." [Repealed.		
4	Sec. 3. 18 V.S.A. § 5075 is amended to read:		
5	§ 5075. ISSUANCE OF AMENDED OR DELAYED BIRTH CERTIFICATE		
6	* * *		
7	(e) If the State Registrar amends a certificate that was registered prior to		
8	July 1, 2019, he or she shall notify the town clerk or clerks with custody of the		
9	certificate, who shall replace and dispose of the unamended certificate and		
10	update indexes as directed by the State Registrar. [Repealed.]		
11	Sec. 4. 18 V.S.A. § 5202a is amended to read:		
12	§ 5202a. CORRECTION, COMPLETION, OR AMENDMENT OF DEATH		
13	CERTIFICATE		
14	* * *		
15	(e) Original certificates. If the State Registrar corrects, completes, or		
16	amends a certificate that was registered prior to July 1, 2019, he or she shall		
17	notify the town clerk or clerks with custody of the original certificate, who		
18	shall replace and dispose of the original and update indexes, as directed by the		
19	State Registrar. [Repealed.]		
20	* * *		

1	* * * Mausoleums and Columbaria * * *		
2	Sec. 5. 18 V.S.A. chapter 121, subchapter 6 is amended to read:		
3	Subchapter 6. Community Mausoleums and Columbariums Columbaria		
4	* * *		
5	§ 5573. CONSTRUCTION REQUIREMENTS		
6	(a) A community mausoleum or columbarium, the crypts or niches of		
7	which are available to the public, shall be constructed and erected only with		
8	the consent and approval of the State Board of Health legislative body of the		
9	municipality and local board of health.		
10	(b) Before commencing the building, construction, or erection of any such		
11	structure, full detailed plans and specifications shall be presented to the State		
12	Board of Health. The approval of such plans and specifications shall be		
13	evidenced by a certificate in writing, signed by the State Board of Health		
14	legislative body of the municipality and the local board of health.		
15	(c) A community mausoleum, columbarium, or any structure intended to		
16	hold or contain permanently the bodies of the dead, and to which the public		
17	shall have access, shall not be constructed or erected without the approvals		
18	required by this section. A building not used for the permanent disposition of		
19	the human dead shall not be altered or changed for such use or used for such		
20	purposes to be used for the permanent disposition of the human dead, and an		
21	addition shall not be made to any existing community mausoleum or		

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1	columbarium, unless constructed of such material and workmanship as will	
2	ensure its durability and permanence as well as the safety, convenience,	
3	comfort, and health of the community in which it is located, as dictated and	
4	determined at the time by modern mausoleum construction and engineering	
5	science.	
6	(d) Construction shall be managed and supervised by a person with	
7	experience in modern mausoleum construction and engineering.	
8	* * *	
9	§ 5577. MAUSOLEUM BECOMING UNTENABLE	
10	If <del>, in the opinion of the State Board of Health,</del> a mausoleum, vault, crypt, or	
11	structure containing one or more deceased human bodies becomes a menace	
12	hazard to public health, and the owner or owners thereof of the structure fail to	
13	remedy or remove the same to the satisfaction of the State Board Department	
14	of Health, a court of competent jurisdiction may order the person, firm, or	
15	corporation owning such the structure to remove the body or bodies for	
16	interment in some suitable cemetery at the expense of the person, firm, or	
17	corporation owning such the mausoleum, vault, or crypt. When such the	
18	person, firm, or corporation cannot be found in the county where such the	
19	mausoleum, vault, or crypt is located, then such the removal and interment	
20	shall be at the expense of the cemetery, or cemetery association, city, or town	
21	where such the mausoleum, vault, or crypt is situated.	

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1	* * * Emergency Health Orders * * *		
2	Sec. 6. 18 V.S.A. § 107 is amended to read:		
3	§ 107. LIFE AND HEALTH OF INHABITANTS; INSPECTIONS,		
4	INVESTIGATIONS		
5	* * *		
6	(b) A health officer may conduct inspections, review records, and take		
7	samples, photographs, and other evidence to detect violations of any State or		
8	local health statute, rule, ordinance, or permit, or any public health hazard or		
9	public health risk. Inspections shall be conducted at a reasonable time and in a		
10	reasonable manner. The health officer may, upon presentation of credentials,		
11	seek permission to inspect any premises not open to the public. If permission		
12	is refused, the health officer may, pursuant to section 121 of this title, seek a		
13	search warrant authorizing the inspection of such premises.		
14	* * *		
15	Sec. 7. 18 V.S.A. § 126 is amended to read:		
16	§ 126. HEALTH ORDERS		
17	* * *		
18	(c) Prior to issuance of a health order under this section, the issuing		
19	authority shall provide notice as provided in this subsection.		
20	* * *		

1	(2) The notice of intent, together with the supporting evidence, and a			
2	statement of procedural rights available under this section, shall be served in			
3	person by a health officer on the person against whom the health order is			
4	sought or in accordance with the procedures set forth in Vermont Rules of			
5	Civil Procedure. If the person resides out of state, the notice of intent shall be			
6	served on the person against whom the health order is sought through certified			
7	<u>mail.</u>			
8	* * *			
9	Sec. 8. 18 V.S.A. § 127 is amended to read:			
10	§ 127. EMERGENCY HEALTH ORDERS			
11	* * *			
12	(b) The health officer may issue an emergency health order only after			
13	preparation of a written statement of reasons stating the need for an emergency			
14	health order together with the supporting evidence and a statement of			
15	procedural rights available under this section. The order, together with the			
16	statement and the evidence, shall be made available as soon as possible to the			
17	person to whom the order is directed. An emergency order shall be served in			
18	person by a health officer or in accordance with the procedures set forth in			
19	Rule 4 of the Vermont Rules of Civil Procedure. If the person resides out of			
20	state, the emergency health order shall be served on the person against whom			
21	the order is sought through certified mail.			

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1	* * *	
2	* * * Ambulance Licensure * * *	
3	Sec. 9. 24 V.S.A. chapter 71 is amended to read:	
4	CHAPTER 71. AMBULANCE SERVICES	
5	Subchapter 1. Emergency Medical Services Districts	
6	§ 2651. DEFINITIONS	
7	As used in this chapter:	
8	* * *	
9	(14) "State Board" means the State Board of Health "Department" means	
10	the Department of Health.	
11	* * *	
12	§ 2652. CREATION OF DISTRICTS	
13	The State Board of Health Department may divide the State into emergency	
14	medical services districts, the number, size, and boundaries of which shall be	
15	determined by the Board Department in the interest of affording adequate and	
16	efficient emergency medical services throughout the State.	
17	* * *	
18	§ 2657. PURPOSES AND POWERS OF EMERGENCY MEDICAL	
19	SERVICES DISTRICTS	
20	(a) It shall be the function of each emergency medical services district to	
21	foster and coordinate emergency medical services within the district, in the	

1	interest of affording adequate ambulance services within the district. Each	
2	emergency medical services district shall have powers which include the	
3	power to:	
4	* * *	
5	(6) monitor the provision of emergency medical services within the	
6	district and make recommendations to the State Board Department regarding	
7	licensure, relicensure, and removal or suspension of licensure for ambulance	
8	vehicles, ambulance services, and first responder services;	
9	* * *	
10	(b) Two or more contiguous emergency medical services districts by a	
11	majority vote of the district board in each of the districts concerned may	
12	change the mutual boundaries of their emergency medical services districts.	
13	The district boards shall report all changes in district boundaries to the State	
14	Board Department.	
15	* * *	
16	Subchapter 2. Licensing Operation of Ambulance Service	
17	* * *	
18	§ 2682. POWERS OF <del>STATE BOARD</del> <u>DEPARTMENT</u>	
19	(a) The State Board Department shall administer this subchapter and shall	
20	have power to:	
21	* * *	

# 1 § 2683. TERM OF LICENSE

2	Full licenses shall be issued on forms to be prescribed by the State Board	
3	Department for a period of one year beginning on January 1, or for the balance	
4	of any such the year. Temporary, conditional, or provisional licenses may also	
5	be issued by the Board Department.	
6	* * *	
7	* * * Town Clerk Recording Fees * * *	
8	Sec. 10. 32 V.S.A. § 5258 is amended to read:	
9	§ 5258. FEES AND COSTS ALLOWED AFTER WARRANT AND LEVY	
10	RECORDED	
11	(a) The fees and costs allowed after the warrant and levy for delinquent	
12	taxes have been recorded shall be as follows:	
13	* * *	
14	(2) recording levy and extending of warrant in the town clerk's office,	
15	\$10.00 <u>\$15.00</u> , to be paid to the town clerk;	
16	* * *	
17	(8) making return and recording the return in the town clerk's office,	
18	$\frac{10.00}{15.00}$ per page, to be paid to the town clerk;	
19	(9) collector's deed, $\frac{30.00}{15.00}$ per page.	
20	* * *	

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1	* * * Repeal; Effective Date * * *	
2	Sec. 11. REPEALS	
3	The following are repealed:	
4	(1) 18 V.S.A. § 5574 (inspection of mausoleums and col	umbaria).
5	(2) 24 V.S.A. § 2654 (recording determination of emerg	ency service
6	districts).	
7	Sec. 12. EFFECTIVE DATE	
8	This act shall take effect on July 1, 2020.	