

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 state
5 agencies to request certified copies of birth and death certificates from the
6 State Registrar, remove the requirement that the Department of Health approve
7 the construction of mausoleums and columbaria, and transfer the authority over
8 ambulance licensure from the Board of Health to the Department of Health.

9 An act relating to vital records, mausoleums and columbaria, and the
10 licensure of ambulances

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 * * * Vital Records * * *

13 Sec. 1. 18 V.S.A. § 5016 is amended to read:

14 § 5016. BIRTH AND DEATH CERTIFICATES; COPIES; INSPECTION

15 * * *

16 (b) Certified copies.

17 * * *

18 (2) Only the following persons shall be eligible for a certified copy of a
19 birth or death certificate:

20 * * *

1 (B) a specific person pursuant to a court order finding that a
2 noncertified copy is not sufficient for the applicant’s legal purpose and that a
3 certified copy of the birth or death certificate is needed for the determination or
4 protection of a person’s right; ~~or~~

5 (C) a state agency that has demonstrated to the satisfaction of the
6 State Registrar that the agency has a bona fide need for the certified copy; or

7 (D) in the case of a death certificate only, additionally to:

8 * * *

9 * * * Mausoleums and Columbaria * * *

10 Sec. 2. 18 V.S.A. chapter 121, subchapter 6 is amended to read:

11 Subchapter 6. Community Mausoleums and ~~Columbariums~~ Columbaria

12 * * *

13 § 5573. CONSTRUCTION REQUIREMENTS

14 (a) A community mausoleum or columbarium, the crypts or niches of
15 which are available to the public, shall be constructed and erected only with
16 the consent and approval of the ~~State Board of Health~~ legislative body of the
17 municipality and local board of health.

18 (b) Before commencing the building, construction, or erection of any such
19 structure, full detailed plans and specifications shall be presented to the State
20 Board of Health. The approval of ~~such~~ plans and specifications shall be

1 evidenced by a certificate in writing, signed by the ~~State Board of Health~~
2 legislative body of the municipality and the local board of health.

3 (c) A community mausoleum, columbarium, or any structure intended to
4 hold or contain permanently the bodies of the dead, and to which the public
5 shall have access, shall not be constructed or erected without the approvals
6 required by this section. A building not used for the permanent disposition of
7 the human dead shall not be altered or changed ~~for such use or used for such~~
8 purposes to be used for the permanent disposition of the human dead, and an
9 addition shall not be made to any existing community mausoleum or
10 columbarium, unless constructed of ~~such~~ material and workmanship as will
11 ensure its durability and permanence as well as the safety, convenience,
12 comfort, and health of the community in which it is located, as dictated and
13 determined at the time by modern mausoleum construction and engineering
14 science.

15 (d) Construction shall be managed and supervised by a person with
16 experience in modern mausoleum construction and engineering.

17 § 5574. ~~INSPECTION~~

18 ~~The State Board of Health shall have supervisory control over the~~
19 ~~construction of any such community mausoleum or columbarium. The State~~
20 ~~Board of Health shall require compliance in all respects with the approved~~
21 ~~plans and specifications. Such Board shall appoint an inspector who shall be~~

1 ~~experienced in modern mausoleum construction and engineering science to~~
2 ~~supervise the erection and construction of such mausoleum and columbarium~~
3 ~~and to determine the amount of his or her compensation. Such compensation~~
4 ~~shall be paid by the person, firm, or corporation erecting such community~~
5 ~~mausoleum or columbarium. A departure from the original plans and~~
6 ~~specifications shall not be permitted, except upon approval of the State Board~~
7 ~~of Health, evidenced in like manner and form as the approval of the original~~
8 ~~plans and specifications. [Repealed.]~~

9 * * *

10 § 5577. MAUSOLEUM BECOMING UNTENABLE

11 ~~If, in the opinion of the State Board of Health,~~ a mausoleum, vault, crypt, or
12 structure containing one or more deceased human bodies becomes a ~~menace~~
13 hazard to public health, and the owner or owners ~~thereof~~ of the structure fail to
14 remedy or remove the same to the satisfaction of the ~~State Board~~ Department
15 of Health, a court of competent jurisdiction may order the person, firm, or
16 corporation owning ~~such~~ the structure to remove the body or bodies for
17 interment in some suitable cemetery at the expense of the person, firm, or
18 corporation owning ~~such~~ the mausoleum, vault, or crypt. When ~~such~~ the
19 person, firm, or corporation cannot be found in the county where ~~such~~ the
20 mausoleum, vault, or crypt is located, then ~~such~~ the removal and interment

1 shall be at the expense of the cemetery, ~~or~~ cemetery association, city, or town
2 where ~~such~~ the mausoleum, vault, or crypt is situated.

3 * * * Ambulance Licensure * * *

4 Sec. 3. 24 V.S.A. chapter 71 is amended to read:

5 CHAPTER 71. AMBULANCE SERVICES

6 Subchapter 1. Emergency Medical Services Districts

7 § 2651. DEFINITIONS

8 As used in this chapter:

9 * * *

10 (14) ~~“State Board” means the State Board of Health~~ “Department” means
11 the Department of Health.

12 * * *

13 § 2652. CREATION OF DISTRICTS

14 The ~~State Board of Health~~ Department may divide the State into emergency
15 medical services districts, the number, size, and boundaries of which shall be
16 determined by the ~~Board~~ Department in the interest of affording adequate and
17 efficient emergency medical services throughout the State.

18 * * *

1 § 2654. RECORDING DETERMINATION OF DISTRICTS

2 The ~~State Board~~ Department shall cause to be recorded in the office of the
3 Secretary of State a certificate containing its determination of emergency
4 medical services districts.

5 * * *

6 § 2657. PURPOSES AND POWERS OF EMERGENCY MEDICAL
7 SERVICES DISTRICTS

8 (a) It shall be the function of each emergency medical services district to
9 foster and coordinate emergency medical services within the district, in the
10 interest of affording adequate ambulance services within the district. Each
11 emergency medical services district shall have powers which include the
12 power to:

13 * * *

14 (6) monitor the provision of emergency medical services within the
15 district and make recommendations to the ~~State Board~~ Department regarding
16 licensure, relicensure, and removal or suspension of licensure for ambulance
17 vehicles, ambulance services, and first responder services;

18 * * *

19 (b) Two or more contiguous emergency medical services districts by a
20 majority vote of the district board in each of the districts concerned may
21 change the mutual boundaries of their emergency medical services districts.

1 The district boards shall report all changes in district boundaries to the ~~State~~
2 ~~Board~~ Department.

3 * * *

4 Subchapter 2. Licensing Operation of Ambulance Service

5 * * *

6 § 2682. ~~POWERS OF STATE BOARD~~ DEPARTMENT

7 (a) The ~~State Board~~ Department shall administer this subchapter and shall
8 have power to:

9 * * *

10 § 2683. TERM OF LICENSE

11 Full licenses shall be issued on forms to be prescribed by the ~~State Board~~
12 Department for a period of one year beginning on January 1, or for the balance
13 of ~~any such~~ the year. Temporary, conditional, or provisional licenses may also
14 be issued by the ~~Board~~ Department.

15 * * *

16 Sec. 4. EFFECTIVE DATE

17 This act shall take effect on July 1, 2020.