CONFIDENTIAL

LEGISLATIVE BILL REVIEW FORM: 2015

Bill Number: H.25 **Name of Bill:** Natural Burial Grounds

Agency/ Dept: ANR/DEC **Author of Bill Review:** Christine Thompson

Date of Bill Review: 4//2015 **Related Bills and Key Players:** _____

Status of Bill: (check one): __Upon Introduction X As passed by 1st body _____As passed by both

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Recommended Position:

X Support _____Oppose ___Remain Neutral __Support with modifications identified in #8 below

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Analysis of Bill

1. **Summary of bill and issue it addresses.** *Describe what the bill is intended to accomplish and why.* As written, the bill enables a landowner to designate his/her property for use as a natural burial ground and establishes requirements in regards to natural burial grounds and cemeteries.

2. **Is there a need for this bill?** *Please explain why or why not.* Yes, because VT state statutes are currently silent in regards to natural burial grounds as well as the risk to drinking water supplies that the burial of human remains in cemeteries and natural burial grounds present. Also, as evidenced during Tropical Storm Irene, there is a need to keep new/expanding cemeteries/natural burial grounds out of river corridors and flood hazard areas.

3. **What are likely to be the fiscal and programmatic implications of this bill for this Department?**

   The bill as written does not present any fiscal implications for DEC.

4. The bill as revised by the House Fish, Wildlife and Water Resources Committee and now passed by the House presents no programmatic implications for DEC. It contains our recommended isolation distances to drinking water wells and keeps new and expansions of cemeteries/natural burial grounds out of river corridors and flood hazard areas.

5. **What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?** The Department of Health, which oversees death certificates and internments, may have some concerns about this revised bill which will be covered in their blue sheet.

6. **What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** (*for example, public, municipalities, organizations, business, regulated entities, etc)* Town offices will need to spend additional time recording natural burial ground locations and the land use restrictions into the land records.

7. **Other Stakeholders:**

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6.1 Who else is likely to support the proposal and why? Existing cemeteries owners who may feel that natural burial grounds should be required to adhere to the same requirements that they must meet (i.e. a level playing field).

6.2 Who else is likely to oppose the proposal and why? Neighbors of proposed natural burial grounds due to concerns over reduced property values and the restriction of where they could place a drilled or shallow well on their property. Owners of natural burial grounds may oppose because they do not want to be held to additional requirements.

8. **Rationale for recommendation:** *Justify recommendation stated above.* The bill as currently written addresses the prior concerns expressed by DEC.

9. **Specific modifications that would be needed to recommend support of this bill**: *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*

10. **Gubernatorial appointments to board or commission?**

Commissioner has reviewed this document: _____ ***Date:*** 4/24/15

Secretary has reviewed this document: _____ ***Date:*** 4-24-15

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