

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Judiciary to which was referred Senate Bill No. 256  
3 entitled “An act relating to the solemnization of a marriage by a Judicial  
4 Bureau hearing officer” respectfully reports that it has considered the same and  
5 recommends that the House propose to the Senate that the bill be amended by  
6 striking out all after the enacting clause and inserting in lieu thereof the  
7 following:

8 Sec. 1. 18 V.S.A. § 5144 is amended to read:

9 § 5144. PERSONS AUTHORIZED TO SOLEMNIZE MARRIAGE

10 (a) Marriages may be solemnized by a ~~supreme court justice~~ Supreme  
11 Court Justice, a ~~superior~~ Superior judge, a judge of ~~probate~~ Probate, an  
12 assistant judge, a justice of the peace, a magistrate, a Judicial Bureau hearing  
13 officer, an individual who has registered as an officiant with the Vermont  
14 ~~secretary of state~~ Secretary of State pursuant to section 5144a of this title, a  
15 member of the clergy residing in this ~~state~~ State and ordained or licensed, or  
16 otherwise regularly authorized thereunto by the published laws or discipline of  
17 the general conference, convention, or other authority of his or her faith or  
18 denomination, or by such a clergy person residing in an adjoining state or  
19 country, whose parish, church, temple, mosque, or other religious organization  
20 lies wholly or in part in this ~~state~~ State, or by a member of the clergy residing  
21 in some other state of the United States or in the Dominion of Canada,

1 provided he or she has first secured from the ~~probate division of the superior~~  
2 ~~court~~ Probate Division of the Superior Court in the unit within which the  
3 marriage is to be solemnized a special authorization, authorizing him or her to  
4 certify the marriage if the ~~probate~~ Probate judge determines that the  
5 circumstances make the special authorization desirable. Marriage among the  
6 Friends or Quakers, the Christadelphian Ecclesia, ~~and~~ the Baha'i Faith, and  
7 Native American Indian Tribes may be solemnized in the manner heretofore  
8 used in such societies.

9 (b) This section does not require a member of the clergy authorized to  
10 solemnize a marriage as set forth in subsection (a) of this section, nor societies  
11 of Friends or Quakers, the Christadelphian Ecclesia, ~~or~~ the Baha'i Faith, or  
12 Native American Indian Tribes to solemnize any marriage, and any refusal to  
13 do so shall not create any civil claim or cause of action.

## 14 Sec. 2. RECIPROCAL BENEFICIARIES; REPEAL; INTENT

15 (a) The stated purpose of the reciprocal beneficiaries is to provide two  
16 persons who are blood-relatives or related by adoption the opportunity to  
17 establish a consensual reciprocal beneficiaries relationship so they may receive  
18 the benefits and protections and be subject to the responsibilities that are  
19 granted to spouses in specific areas. Since enactment in 2000, no reciprocal  
20 beneficiary relationship has been established in Vermont.

21 (b) 15 V.S.A. chapter 25 is repealed (reciprocal beneficiaries).

1       Sec. 3. EFFECTIVE DATE

2           This act shall take effect on passage.

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5           (Committee vote: \_\_\_\_\_)

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Representative \_\_\_\_\_

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FOR THE COMMITTEE