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H.111

Representative Devereux of Mount Holly moves that the report of the Committee on Government Operations be amended as follows:

First: In Sec. 3, 18 V.S.A. § 5000, in subdivision (c)(1), by inserting the following sentence after the first sentence and before the present second sentence:

However, nothing in this part shall be construed to preclude town clerks or other issuing agents from printing from the System and maintaining for public inspection noncertified copies of birth and death certificates.

Second: In Sec. 3, 18 V.S.A. § 5000, in subsection (c), by inserting a new subdivision to be subdivision (2) to read:

(2) On and after July 1, 2018:

(A) upon registration of a birth or death in the Statewide Registration System, the System shall automatically notify the town clerk of the town of occurrence and the town clerk of residence of the registrant;

(B) upon the correction or amendment of a birth or death certificate registered in the System, or upon issuance of a new birth certificate to replace a birth certificate registered in the System, the System shall automatically notify the town clerk of the town of occurrence and the town clerk of residence of the registrant.

1 and by renumbering the remaining subdivisions in 18 V.S.A. § 5000(c) to be
2 numerically correct.

3 Third: By striking out Sec. 13 in its entirety and inserting in lieu thereof the
4 following:

5 Sec. 13. 18 V.S.A. § 5011 is amended to read:

6 § 5011. PENALTY

7 (a) A town clerk who fails to transmit ~~such~~ copies of ~~birth~~, marriage,
8 ~~civil union, and death~~ certificates as provided in section 5010 of this title
9 shall be fined not more than \$100.00.

10 (b) The Commissioner or a hearing officer designated by the Commissioner
11 may, after notice and an opportunity for hearing, impose a civil administrative
12 penalty of not more than \$250.00 against a person who fails to perform a duty
13 imposed or violates a prohibition under this part. A hearing under this
14 subsection shall be a contested case subject to the provisions of 3 V.S.A.
15 chapter 25, and the provisions of 3 V.S.A. §§ 809(h), 809a, and 809b related to
16 subpoenas shall extend to the Commissioner, a hearing officer appointed by
17 the Commissioner, and licensed attorneys representing a party.

18 Fourth: By striking out Sec. 23 in its entirety and inserting in lieu thereof
19 the following:

20 Sec. 23. [Deleted.]

1 Fifth: In Sec. 40, 18 V.S.A. § 5139, in subsec. (a), by striking out “~~fined~~
2 ~~not more than \$50.00 nor less than \$20.00~~ subject to the penalties prescribed in
3 section 5011 of this title” and inserting in lieu thereof “fined not more than
4 \$50.00 nor less than \$20.00”

5 Sixth: By striking out Sec. 41 in its entirety and inserting in lieu thereof the
6 following:

7 Sec. 41. [Deleted.]

8 Seventh: In Sec. 42, 18 V.S.A. § 5141, in subsection (b), by striking out
9 “~~fined not more than \$100.00~~ subject to the penalties prescribed in section
10 5011 of this title” and inserting in lieu thereof “fined not more than \$100.00”

11 Eighth: In Sec. 44, 18 V.S.A. § 5143, in the second sentence, by striking
12 out “~~fined not more than \$500.00~~ subject to the penalties prescribed in section
13 5011 of this title” and inserting in lieu thereof “fined not more than \$500.00”

14 Ninth: By striking out Sec. 45 in its entirety and inserting in lieu thereof the
15 following:

16 Sec. 45. [Deleted.]

17 Tenth: In Sec. 46, 18 V.S.A. § 5147, in subsection (a), by striking out
18 “~~imprisoned not more than six months or fined not more than \$300.00 nor less~~
19 ~~than \$100.00, or both~~ subject to the penalties prescribed in section 5011 of this
20 title” and inserting in lieu thereof “imprisoned not more than six months or
21 fined not more than \$300.00 nor less than \$100.00, or both”

1 Eleventh: In Sec. 51, 18 V.S.A. § 5206, by striking out “~~shall be fined not~~
2 ~~more than \$100.00~~ shall be subject to the penalties prescribed in section 5011
3 of this title” and inserting in lieu thereof “shall be fined not more than
4 \$100.00”

5 Twelfth: In Sec. 54, 18 V.S.A. § 5211, by striking out “~~imprisoned not~~
6 ~~more than five years or fined not more than \$1,000.00, or both~~ subject to the
7 penalties prescribed in section 5011 of this title” and inserting in lieu thereof
8 “imprisoned not more than five years or fined not more than \$1,000.00, or
9 both”

10 Thirteenth: By striking out Sec. 55 in its entirety and inserting in lieu
11 thereof the following:

12 Sec. 55. [Deleted.]

13 Fourteenth: In Sec. 18, 18 V.S.A. § 5017, in the section heading, by
14 striking out “AND SEARCHES”