

# Journal of the House

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Thursday, March 14, 2019

At one o'clock in the afternoon the Speaker called the House to order.

## Devotional Exercises

Devotional exercises were conducted by Rev. Peter Plagge, Waterbury Congregational Church, Waterbury, VT.

## House Bills Introduced

House bills of the following titles were severally introduced, read the first time and referred to committee or placed on the Calendar as follows:

### H. 520

By Rep. Christie of Hartford,  
House bill, entitled  
An act relating to schools and net metering;  
To the committee on Energy and Technology.

### H. 521

By the committee on Education,  
An act relating to amending the special education laws;  
Pursuant to House rule 48, bill placed on the Calendar for notice.

### H. 523

By the committee on Government Operations,  
An act relating to miscellaneous changes to the State's retirement systems;  
Pursuant to House rule 48, bill placed on the Calendar for notice.

## Second Reading; Bill Amended; Third Reading Ordered

### H. 278

**Rep. Rachelson of Burlington**, for the committee on Judiciary, to which had been referred House bill, entitled

An act relating to acknowledgment or denial of parentage  
Reported in favor of its passage when amended as follows:

By striking out Sec. 3 (Effective Dates) in its entirety and adding new Secs. 3-6 to read as follows:

Sec. 3. 15C V.S.A. § 310 is amended to read:

§ 310. FORMS FOR VOLUNTARY ACKNOWLEDGMENT AND DENIAL  
OF PARENTAGE

(a) The Department of Health shall develop ~~an~~ a voluntary acknowledgment of parentage form and denial of parentage form for execution of parentage under this chapter.

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Sec. 4. 15C V.S.A. § 708 is amended to read:

§ 708. BIRTH AND PARENTAGE ORDERS

(a) A party consenting to assisted reproduction, a person who is a parent pursuant to sections 702-704 of this title, an intended parent or parents, or the person giving birth may commence a proceeding in the Probate Division of the Superior Court to obtain an order and judgment of parentage doing any of the following:

(1) declaring that the intended parent or parents are the parent or parents of the resulting child and ordering that parental rights and responsibilities vest exclusively in the intended parent or parents immediately upon the birth of the child;

(2) except as provide in subsection (d) of this section, sealing the record from the public to protect the privacy of the child and the parties;

(3) designating the contents of the birth certificate and directing the Department of Health to designate the intended parent or parents as the parent or parents of the child; or

(4) for any relief that the court determines necessary and proper.

(b) A proceeding under this section may be commenced before or after the birth of the child.

(c) Neither the donor, the State, nor the Department of Health is a necessary party to a proceeding under this section.

(d) The Probate Division of the Superior Court shall forward a certified copy of the order issued pursuant to this section to the Department of Health and to the intended parents or their representative.

(e) The intended parent or parents and any resulting child shall have access to the court records relating to the proceeding at any time.

Sec. 5. 15C V.S.A. § 804 is amended to read:

§ 804. BIRTH AND PARENTAGE ORDERS

(a) Before or after the birth of a resulting child, a party to a gestational carrier agreement may commence a proceeding in the Probate Division of the Superior Court to obtain an order and judgment of parentage doing any of the following:

(1) Declaring that the intended parent or parents are the parent or parents of the resulting child and ordering that parental rights and responsibilities vest exclusively in the intended parent or parents immediately upon the birth of the child.

(2) Declaring that the gestational carrier or her spouse, if any, are not the parents of the resulting child.

(3) Designating the contents of the birth certificate and directing the Department of Health to designate the intended parent or parents as the parent or parents of the child. The Department of Health may charge a reasonable fee for the issuance of a birth certificate.

~~(3)~~(4) Sealing the record from the public to protect the privacy of the child and the parties.

(4)~~(5)~~ Providing any relief the court determines necessary and proper.

(b) Neither the State nor the Department of Health is a necessary party to a proceeding under subsection (a) of this section.

(c) The Probate Division of the Superior Court shall forward a certified copy of the order issued pursuant to this section to the Department of Health and to the intended parents or their representative.

(d) The intended parent or parents and any resulting child shall have access to their court records at any time.

Sec. 6. EFFECTIVE DATES

This section and Secs. 1–3 shall take effect on passage, and the remaining sections shall take effect on July 1, 2019.

The bill, having appeared on the Calendar one day for notice, was taken up, read the second time, report of the committee on Judiciary agreed to and third reading ordered.

**Third Reading; Bill Passed****H. 287**

House bill, entitled

An act relating to small probate estates

Was taken up, read the third time and passed.

**Bill Amended; Read Third Time; Bill Passed****H. 512**

House bill, entitled

An act relating to miscellaneous court and Judiciary related amendments

Was taken up and pending third reading of the bill, **Rep. Jessup of Middlesex** moved to amend the bill as follows:

In Sec. 18a, 15 V.S.A. § 752, subsection (b), by striking subdivision (8) and inserting in lieu thereof the following:

(8) the following guidelines:

Length of marriage	% of the difference between parties' gross incomes	Duration of alimony award as % length of marriage
0 to <5 years	0- <del>20</del> <u>16</u> %	No alimony or short-term alimony up to one year
5 to <10 years	<del>15-35</del> <u>12-29</u> %	20-50% (1-5 yrs)
10 to <15 years	<del>20-40</del> <u>16-33</u> %	40-60% (3-9 yrs)
15 to <20 years	<del>24-45</del> <u>20-37</u> %	40-70% (6-14 yrs)
20+ years	<del>30-50</del> <u>24-41</u> %	45% (9-20+ yrs)

Which was agreed to. Thereupon, the bill was read the third time and passed.

**Third Reading; Bill Passed in Concurrence****S. 11**

Senate bill, entitled

An act relating to limiting senatorial districts to a maximum of three members

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Was taken up, read the third time and passed in concurrence.

**Action on Bill Postponed**

**H. 514**

House bill, entitled

An act relating to miscellaneous tax provisions

Was taken up and pending second reading of the bill, on motion of **Rep. Young of Greensboro**, action on the bill was postponed until March 15, 2019.

**Favorable Report; Second Reading;  
Third Reading Ordered**

**H. 321**

**Rep. Goslant of Northfield**, for the committee on Judiciary, to which had been referred House bill, entitled

An act relating to aggravated murder for killing a firefighter or an emergency medical provider

Reported in favor of its passage. The bill, having appeared on the Calendar one day for notice, was taken up, read the second time and third reading ordered.

**Action on Resolution Postponed**

**J.R.S. 17**

Joint Resolution, entitled

Joint resolution providing for a Joint Assembly to vote on the retention of eight Superior Judges and one Magistrate

Was taken up and pending the question, Shall the House adopt the resolution in concurrence?, on motion of **Rep. McCoy of Poultney**, action on the resolution was postponed until March 15, 2019.

**Message from the Senate No. 24**

A message was received from the Senate by Mr. Marshall, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Senate has on its part passed Senate bills of the following titles:

**S. 47.** An act relating to the persons authorized to make contributions to candidates and political parties and to political committee names.

**S. 49.** An act relating to the regulation of polyfluoroalkyl substances in drinking and surface waters.

**S. 95.** An act relating to municipal utility capital investment.

In the passage of which the concurrence of the House is requested.

### **Adjournment**

At one o'clock and thirty-one minutes in the afternoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until tomorrow at nine o'clock and thirty minutes in the forenoon.