

Legislative Wrap-up 2022

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An act relating to the Interstate Compact on the Placement of Children Act 101 (S.72)



- ICPC regulates the placement of all child-welfare involved cases and domestic adoptions across state lines
 - Includes interstate placements of:
 - Foster care
 - Kinship care
 - Placements with non-custodial parents
 - Conditional custody orders
 - Residential care
 - Adoptions (public and private)
 - ICPC does not apply to out-of-state placements in:
 - Hospitals
 - Psychiatric hospitals
 - Educational facilities – like boarding schools

ICPC

Current Compact

- Written in 1960 and adopted by Vermont in 1972
- Governing process and structure are outdated

New Compact

- Written in 2004 with stakeholders across the country, including a Vermont Assistant Attorney General
- Takes effect 18 months after the 35th state adopts the compact
- Vermont became the 14th state to adopt which provides a seat at the table for rulemaking

An act relating to access to adoption records

Act 100 (H.629)



The purpose of this act is to permit an adopted person who is 18 years of age or older to obtain a certified copy of the person's original birth certificate regardless of whether the adoptee's former parent has consented to such disclosure.

Can I get identifying information?

Adoption finalized before July 1, 1986:

- Requires the mutual consent of the adult adoptee and birthparent or sibling.

Adoption finalized on/after July 1, 1986:

- Identifying information about a birthparent may be released to the adoptee unless they requested that it not be disclosed (*non disclosure*).
- Information about an adoptee or birth sibling may only be released with their consent.

What if I'm denied information?

You may petition the court if:

- You are denied "non-identifying" information you're entitled to by law.
- You are the adoptee, and the Registry has denied your request for identifying information.

How do I petition the court?

Call the Registry at (802) 241-0906. We can explain the petition process and refer you to the appropriate court.

Vermont's Adoption Law
<https://legislature.vermont.gov/statutes/title/15A>

What if I want to be found?

Contact the Registry to file a *Consent to the Release of Identifying Information* about you. And inform us if you move.

What if I don't want my identity disclosed?

Contact the Registry to file a request for nondisclosure. This does not guarantee that you won't be found.

Is there a cost?

The Registry, courts, and agencies may charge reasonable fees to cover the cost of compiling the information. Any fees will be disclosed in advance.

What if there is newly available health information?

Adoptive parents, adoptees, and birth family members who become aware of health information that could seriously affect the health or reproductive decisions of another party should contact the Registry. We will attempt to notify the affected party as long as you have a certified statement from a physician confirming the information.

Vermont Adoption Registry
280 State Drive, HC 1 North
Waterbury, VT 05671-1030
(802) 241-0906



The Vermont Adoption Registry Finding Your Roots

dcf.vermont.gov/vt-adoption-registry

INFORMATION ABOUT ADOPTIONS FINALIZED IN VERMONT

Non-Identifying Information

- A summary of information from the adoption record — about the adoptee's history, the adoption, and the adoptive parents.
- A summary of information from the adoption record — about the birthparents, any birth siblings, and the adoptee's background (e.g., health, genetic, and social).

Who can request it?

- Birthparent
- Birth grandparent
- Birth sibling (half or whole)
- Adult or emancipated adoptee
- Adoptive parent
- Adoptee's legal guardian/custodian
- Direct descendant of deceased adoptee or a parent/guardian if under 18

Where do you get it?

From the agency that handled the adoption. If you don't know the agency, contact the Adoption Registry for a referral.

The Registry can provide non-identifying information if:

- The agency is no longer active
- There was no agency involved
- It was a state adoption

Identifying Information

Facts (e.g., full name, date of birth, and last known address) to help establish the identity and location of:

- An adoptee
- A birthparent
- A birth sibling

Who can request it?

- Adult or emancipated adoptee
- Direct descendant of deceased adoptee or a parent/guardian if under 18
- Birthparent
- Birth sibling (18+)

Where do you get it?

- Without a court order, you may only get it from the Registry.
- With a court order, you may get it from the Registry or agency that handled the adoption.

See the back to learn more.

Original Birth Certificate

A non-certified copy of the adoptee's original birth certificate.

Who can request it?

- Birthparents: send a copy of an identification (e.g., driver's license).
- Adoptees born in VT and entitled to identifying information: send a copy of a document from the Registry or court authorizing its release to you.

Where do you get it?

Send a request with a copy of the relevant document to:

Vital Records Office
Vermont Department of Health
PO Box 70
Burlington, VT, 05402-0070
1-800-439-5008

A few highlights...


A person who is listed as a parent on an adoptee's original birth certificate may file a contact preference form with the Registry indicating whether the parent would like to be contacted by the adoptee, prefer to be contacted by the adoptee only through an intermediary, or prefer not to be contacted by the adoptee at this time.

The act directs the Department for Children and Families to undertake a public education campaign about the change in the law prior to the new policy's effective date of July 1, 2023.

Sec. 8a.

Records
concerning
children who
are not
adopted

In response to requests from survivors from St. Joseph's Orphanage in Burlington who have had difficulty obtaining records concerning their care, the act requires the Vermont State Archives and Records Administration, in consultation with the Department for Children and Families and other interested parties, to report to various legislative committees on the laws governing records related to children who were placed by a child-placing agency in foster homes or residential child care facilities and who are not adopted and a recommendation for legislation to ensure that these children have access to records concerning their background, medical history, and other pertinent information relating to their time under the care and supervision of an agency.





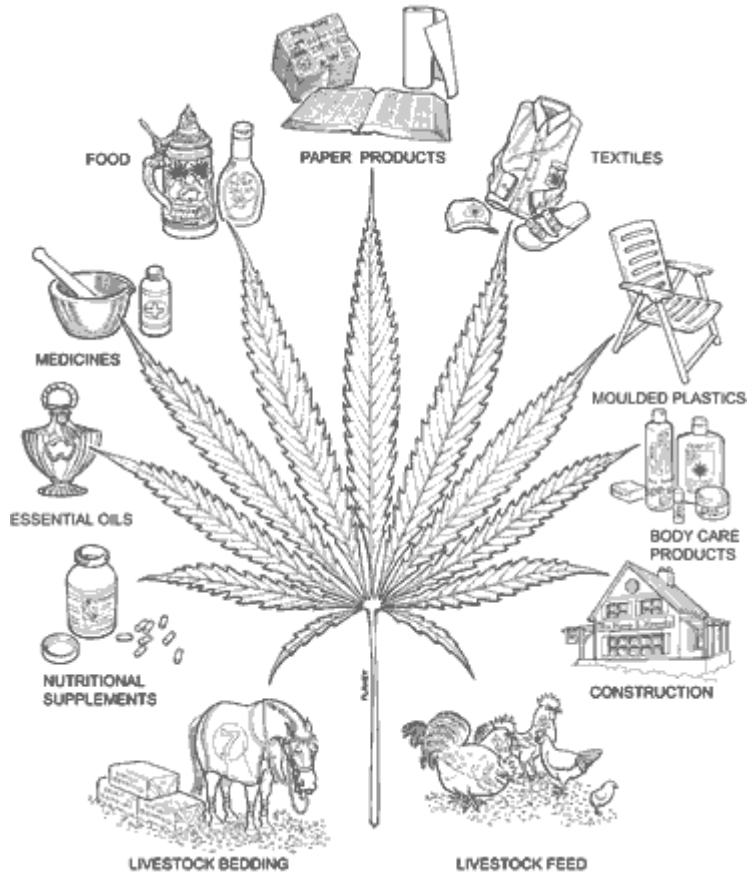
An act
relating to
regulating
licensed small
cannabis
cultivation as
farming
Act No. 158
(S.188)

Commercial and Personal Cultivation

- Licensed small cultivators (not more than 1,000 square feet) who grow cannabis outdoors on land already subject to Required Agricultural Practices will be afforded farming exemptions regarding land use requirements and permitting under Act 250 and local zoning and will be able to keep the parcel enrolled in the Use Value Appraisal Program, provided the parcel was already enrolled prior to cultivation of cannabis.
- Establishes the same statutory standard for cultivation of cannabis for both “home grow” and commercial use: on property lawfully in possession of the cultivator or with the written consent of the person in lawful possession of the property and in an area that is screened from public view and access is limited to the cultivator and persons 21 years of age or older who have permission from the cultivator.



Hemp



- Hemp is currently regulated by the Vermont Agency of Agriculture, Food and Markets
- The act requires the Cannabis Control Board to submit to the House Committees on Agriculture and Forestry and on Ways and Means and the Senate Committees on Agriculture and on Finance written recommendations on how the Cannabis Control Board would regulate hemp products; hemp processors; and hemp product manufacturers
- Moves the Cannabis Control Quality Program from AAFM to the Cannabis Control Board

Grants the Cannabis Control Board the authority to regulate synthetic cannabinoids and hemp-derived cannabinoids, including delta-8 and delta-10 tetrahydrocannabinol





Cannabis Concentrates

- Vermont originally banned concentrated cannabis products with greater than 60 percent tetrahydrocannabinol
- This act allows solid and liquid concentrates to be manufactured and sold to other licensees but not to the public
- The act also requires the Cannabis Control Board to report to the General Assembly with a summary of the regulated market share for solid concentrates above 60 percent THC and the status of the illicit market for those products in other states with a regulated adult-use cannabis market



PR 5, Declaration of rights; right to personal reproductive liberty

Article 22. [Personal reproductive liberty]

That an individual's right to personal reproductive autonomy is central to the liberty and dignity to determine one's own life course and shall not be denied or infringed unless justified by a compelling State interest achieved by the least restrictive means.

The amendment shall become a part of the Constitution of the State of Vermont on the first Tuesday after the first Monday of November 2022 when ratified and adopted by the people