

House Calendar

Wednesday, February 12, 2025

36th DAY OF THE BIENNIAL SESSION

House Convenes at 3:00 P.M.

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ACTION CALENDAR

Favorable with Amendment

H. 41

An act relating to creating a felony penalty for abuse of a corpse

Rep. Burditt of West Rutland, for the Committee on Judiciary, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 13 V.S.A. § 3761a is added to read:

§ 3761a. ABUSE OF THE DEAD BODY OF A PERSON

(a) No person shall, knowingly without legal authorization, intentionally burn, mutilate, disfigure, dismember, or destroy the dead body of a person.

(b)(1) No person shall intentionally bury, transport, hide, conceal, burn, mutilate, disfigure, dismember, or destroy the dead body of a person for the purpose of concealing a crime or avoiding apprehension, prosecution, or conviction of a crime.

(2) No person shall commit sexual conduct upon the dead body of a person.

(c)(1) A person who violates subsection (a) of this section shall be imprisoned for not more than five years or fined not more than \$5,000.00, or both.

(2) A person who violates subsection (b) of this section shall be imprisoned not more than 15 years or fined not more than \$10,000.00, or both.

(d) As used in this section:

(1) “Dead body of a person” does not include the cremated remains of a person.

(2) “Sexual conduct” means any of the following committed against the dead body of a person:

(A) any conduct involving contact between the penis and the vulva, the penis and the penis, the penis and the anus, the mouth and the penis, the mouth and the anus, the vulva and the vulva, or the mouth and the vulva;

(B) any intrusion, however slight, by any part of an individual's body or any object into any part of a dead human body with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desire of any individual;

(C) any touching of the dead human body with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desire of any individual;

(D) masturbation; or

(E) bestiality.

Sec. 2. 18 V.S.A. § 5211 is amended to read:

§ 5211. UNAUTHORIZED BURIAL OR REMOVAL; PENALTY

A person who buries, entombs, transports, or removes the dead body of a person without a burial-transit permit so to do, or in any other manner or at any other time or place than as specified in such permit, shall be ~~imprisoned not more than five years or~~ fined not more than \$1,000.00, ~~or both.~~

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2025.

and that after passage the title of the bill be amended to read: "An act relating to abuse of the dead body of a person"

(Committee Vote: 11-0-0)

NOTICE CALENDAR

Favorable with Amendment

H. 98

An act relating to confirmatory adoptions

Rep. Rachelson of Burlington, for the Committee on Judiciary, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 15A V.S.A. § 1-114 is added to read:

§ 1-114. CONFIRMATORY ADOPTION FOR CHILDREN BORN
THROUGH ASSISTED REPRODUCTION

(a) As used in this section:

(1) "Assisted reproduction" means a method of causing pregnancy other than sexual intercourse and includes:

- (A) intrauterine, intracervical, or vaginal insemination;
- (B) donation of gametes;
- (C) donation of embryos;
- (D) in vitro fertilization and transfer of embryos; and
- (E) intracytoplasmic sperm injection.

(2) “Donor” means a person who contributes a gamete or gametes or an embryo or embryos to another person for assisted reproduction or gestation, whether or not for consideration. This term does not include:

(A) a person who gives birth to a child conceived by assisted reproduction except as otherwise provided in 15C V.S.A. chapter 8; or

(B) a parent under 15C V.S.A. chapter 7 or an intended parent under 15C V.S.A. chapter 8.

(3) “Marriage” includes civil union and any legal relationship that provides substantially the same rights, benefits, and responsibilities as marriage and is recognized as valid in the state or jurisdiction in which it was entered.

(4) “Petitioners” means the persons filing a petition for adoption in accordance with this section.

(b) Whenever a child is born as a result of assisted reproduction and the person or persons who did not give birth are a parent pursuant to 15C V.S.A. § 703 or presumed parent pursuant to 15C V.S.A. § 401 and the parents seek to file a petition to confirm parentage through an adoption of the child, the court shall permit the parents to file a petition for adoption in accordance with this section.

(c) A complete petition shall comprise the following:

(1) the petition for adoption signed by all parents;

(2) a copy of the petitioners’ marriage certificate, if petitioners are married;

(3) a declaration signed by the parents explaining the circumstances of the child’s birth through assisted reproduction, attesting to their consent to assisted reproduction, and stating that there are no other persons with a claim to parentage of the child under Title 15C; and

(4) a certified copy of the child’s birth certificate.

(d) A complete petition for adoption, as described in subsection (c) of this section, shall serve as the petitioners' written consents to adoption and no additional consent or notice shall be required.

(e) If the petitioners conceived through assisted reproduction with donor gametes or donor embryos, the court shall not require notice of the adoption to the donor or consent to the adoption by the donor.

(f) Unless otherwise ordered by the court for good cause shown and supported by written findings of the court demonstrating good cause, for purposes of evaluating and granting a petition for adoption pursuant to this section, the court shall not require:

(1) an in-person hearing or appearance, although the court may require a remote hearing;

(2) an investigation or home study by, a notice to, or the approval of the Department for Children and Families;

(3) a criminal-record check;

(4) verification that the child is not registered with the federal register for missing children or the central register; or

(5) a minimum residency period in the home of the petitioners.

(g) The court shall grant the adoption under this section and issue an adoption decree promptly after the filing of a complete petition and upon finding that:

(1) for marital parents, the parent who gave birth and the spouse were married at the time of the child's birth and the child was born through assisted reproduction; or

(2) for nonmarital parents:

(A) the person who gave birth and the nonmarital parent consented to the assisted reproduction; and

(B) no other person has a claim to parentage pursuant to Title 15C or that any other person with a claim to parentage of the child who is required to be provided notice of, or who must consent to, the adoption has been notified or provided consent to the adoption.

(h) A petition to adopt a child pursuant to this section shall not be denied on the basis that any of the petitioners' parentage is already presumed or legally recognized in Vermont.

(i) When parentage is presumed or legally recognized pursuant to 15C V.S.A. § 201, the fact that a person did not petition for adoption pursuant to this section shall not be considered as evidence when two or more presumptions conflict, nor in determining the best interests of the child.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2025.

(Committee Vote: 11-0-0)

For Informational Purposes

ANNOUNCEMENT: JOINT PUBLIC HEARING ON THE GOVERNOR'S RECOMMENDED FY 2026 BUDGET

The Vermont House and Senate Committees on Appropriations will hold two **joint public hearings on Thursday, February 13, 2025, at 1:45 p.m. and Thursday, February 20, 2025, at 5:00 p.m.** via in person or videoconference.

The Committee will take testimony on the Governor's recommended budget adjustments at the above date and time. **Anyone interested in testifying should sign up in advance of the hearing through the following online form:** <https://legislature.vermont.gov/links/joint-public-hearings-on-the-fy26-budget>

not later than 10:00 a.m. on February 12, 2025, for the first hearing, and 10:00 a.m. on February 19, 2025, for the second hearing. Instructions on how to access and participate in the hearing will be sent once you have signed up for the hearing.

The hearing will be available to watch live on YouTube at the following link:

<https://legislature.vermont.gov/committee/streaming/house-appropriations>

For more information about the format of these events, contact Erin Pedley at epedley@leg.state.vt.us or Elle Oille-Stanforth at eoille-stanforth@leg.state.vt.us. Written testimony is encouraged and can be submitted electronically through email at testimony2025@leg.state.vt.us or mailed to the House Committee on Appropriations, c/o Erin Pedley, 115 State Street, Montpelier, VT 05633.

NOTICE OF JOINT ASSEMBLY

Thursday, February 20, 2025 - 10:30 A.M. - House Chamber – Election of a Sergeant at Arms, and three (3) trustees for the University of Vermont and State Agricultural College.

Candidates for the position of Sergeant at Arms, and legislative candidates for University of Vermont trustees must notify the Secretary of State **in writing** of their candidacies not later than Thursday, February 13, 2025, by 4:00 P.M., pursuant to the provisions of 2 V.S.A. § 12(b). Otherwise their names will not appear on the ballots for these positions.

The following rules shall apply to the conduct of these elections.

First: All nominations for these offices will be presented in alphabetical order prior to voting.

Second: There will be only one nominating speech of not more than three (3) minutes and not more than two seconding speeches of not more than one (1) minute each for each nominee.

CROSSOVER DATES

The Joint Rules Committee established the following crossover dates:

(1) All **Senate/House** bills must be reported out of the last committee of reference (including the Committees on Appropriations and Finance/Ways and Means, except as provided below in (2) and the exceptions listed below) on or before **Friday, March 14, 2025**, and filed with the Secretary/Clerk so they may be placed on the Calendar for Notice the next legislative day – Committee bills must be voted out of Committee by **Friday, March 14, 2025**.

(2) All **Senate/House** bills referred pursuant to Senate Rule 31 or House Rule 35(a) to the Committees on Appropriations and Finance/Ways and Means must be reported out by the last of those committees on or before **Friday, March 21, 2025**, and filed with the Secretary/Clerk so they may be placed on the Calendar for Notice the next legislative day.

Exceptions to the foregoing deadlines include the major money bills (the general Appropriations bill (“The Big Bill”), the Transportation Capital bill, the Capital Construction bill, and the Fee/Revenue bills).

HOUSE CONCURRENT RESOLUTION (H.C.R.) PROCESS

Joint Rules 16a–16d provide the procedure for the General Assembly to adopt concurrent resolutions pursuant to the Consent Calendar. Here are the steps for Representatives to introduce an H.C.R. and to have it ceremonially read during a House session:

1. Meet with Legislative Counselor Michael Chernick regarding your H.C.R. draft request. Come prepared with an idea and any relevant supporting documents.
2. Have a date in mind if you want a ceremonial reading. You should meet with Counselor Chernick at least two weeks prior to the week you want your ceremonial reading to happen.
3. Counselor Chernick will draft your H.C.R., and Resolutions Editor and Coordinator Jill Pralle will edit it. Upon completion of this process, a paper or electronic copy will be released to you. If a paper copy is released to you, a sponsor signout sheet will also be included.
4. Please submit the sponsor list to Counselor Chernick by paper *or* electronically, but not both.
5. The final list of sponsors needs to be submitted to Counselor Chernick not later than 12:00 noon the Thursday of the week prior to the H.C.R.'s appearance on the Consent Calendar.
6. The Office of Legislative Counsel will then send your H.C.R. to the House Clerk's Office for incorporation into the Consent Calendar and House Calendar Addendum for the following week.
7. The week that your H.C.R. is on the Consent Calendar, any presentation copies that you requested will be mailed or available for pickup on Friday, after the House and Senate adjourn, which is when your H.C.R. is adopted pursuant to Joint Rules.
8. Your H.C.R. can be ceremonially read during a House session once it is adopted. If you would like to schedule a ceremonial reading, contact Second Assistant Clerk Courtney Reckord to confirm your requested ceremonial reading date.

JOINT FISCAL COMMITTEE NOTICES

Grants and Positions that have been submitted to the Joint Fiscal Committee by the Administration, under 32 V.S.A. §5(b)(3)(D):

JFO #3244: \$2,335,401.00 to the Agency of Human Services, Department of Health from the Substance Abuse and Mental Health Services Administration. Funds support continued crisis counseling assistance and training in response to the July 2024 flood event. *[Received February 7, 2025]*

JFO #3245: \$250,000.00 to the Agency of Human Services, Department of Health from the National Association of State Mental Health Program Directors. Funds used to provide trainings for crisis staff and to make improvements to the State's crisis system dispatch platform. *[Received February 7, 2025]*