

1 S.109

2 Representative LaLonde of South Burlington moves that the House propose
3 to the Senate that the bill be amended as follows:

4 First: By striking Secs.22 and 23 in their entirety and inserting in lieu
5 thereof the following:

6 Sec. 22. [Deleted.]

7 Sec. 23. [Deleted.]

8 Second: By adding new Secs. 25a and 25b to read as follows:

9 Sec. 25a. 33 V.S.A. § 5231(d) is amended to read:

10 (d) Termination of parental rights. If the Commissioner or the attorney for
11 the child seeks an order terminating parental rights of one or both parents and
12 transfer of custody to the Commissioner without limitation as to adoption, the
13 court shall consider the best interests of the child in accordance with section
14 5114 of this title. The court shall not consider the failure to make payments to the
15 Department for Children and Families for the support of the child as a factor in
16 making a determination to terminate parental rights.

17 Sec. 25a. 33 V.S.A. § 5317(d) is amended to read:

18 (d) Termination of parental rights. If the Commissioner or the attorney for
19 the child seeks an order at disposition terminating the parental rights of one or
20 both parents and transfer of legal custody to the Commissioner without
21 limitation as to adoption, the court shall consider the best interests of the child
22 in accordance with section 5114 of this title. The court shall not consider the

1 failure to make payments to the Department for Children and Families for the support
2 of the child as a factor in making a determination to terminate parental rights.

3 Third: In Sec. 30, 28 V.S.A. § 818(b)(4)(D), by striking out “dates” and
4 inserting in lieu thereof “~~dates~~ date”

5 Fourth: In Sec. 31, Victim Notification System Task Force, by striking out
6 subsection (b) in its entirety and inserting in lieu thereof a new subsection (b)
7 to read as follows:

8 (b) Membership. The Task Force shall be composed of the following
9 members:

10 (1) the Commissioner of Corrections or designee;

11 (2) the Executive Director of the Center for Crime Victim Services or
12 designee;

13 (3) the Executive Director of the Department of State’s Attorneys and
14 Sheriffs or designee;

15 (4) a member, appointed by the Vermont Network Against Domestic
16 and Sexual Violence;

17 (5) the Victims Service Director of the Vermont State Police;

18 (6) two persons who are either victims or survivors of crimes, appointed
19 by the Center for Crime Victim Services; and

20 (7) a member, appointed by the Commissioner of Corrections, who is
21 familiar with the capability and technical operations of the VINE system.

1 Fifth: In Sec. 32 Adult Involuntary Guardianship Working Group,
2 subsection (d), by striking out subdivision (2) in its entirety and inserting in
3 lieu thereof a new subdivision (2) to read as follows:

4 (2) With respect to subdivisions (d)(1)(B)(i) and (ii) of this section, the
5 report shall address:

6 (A) the judicial resources and oversight that would be required;

7 (B) whether, notwithstanding 12 V.S.A. §2553 or 2555, the Vermont
8 Supreme Court should have appellate jurisdiction over guardianship
9 proceedings;

10 (C) the relationship between guardianships under subdivisions
11 (d)(1)(B)(i) and (ii) of this section and voluntary guardianships under 14
12 V.S.A. § 2671;

13 (D) any legislative changes that would need to be made under either
14 recommendation to ensure that respondents under Title 18 guardianships have
15 access to voluntary guardianships that is equal to the access to voluntary
16 guardianships available under Title 14; and

17 (E) any other matters deemed relevant by the Working Group,
18 including any matters not currently under the jurisdiction of Title 14
19 guardianships or Title 18 guardianships.

1 Sixth: In Sec. 38, Child and Parent Legal Representation Task Force, by
2 striking out subsection (b) in its entirety and inserting in lieu thereof a new
3 subsection (b) to read as follows:

4 (b) Membership. The Task Force shall be composed of the following
5 members:

6 (1) the Chief Justice of the Vermont Supreme Court or designee, who
7 shall be the chair;

8 (2) the Court Administrator or designee;

9 (3) the Commissioner of the Department for Children and Families or
10 designee;

11 (4) the Defender General or designee;

12 (5) the Child, Youth, and Family Advocate or designee;

13 (6) the Executive Director of Voices for Vermont's Children or
14 designee;

15 (7) the Executive Director of the Vermont Parent Representation
16 Center, Inc.;

17 (8) the Attorney General or designee; and

18 (9) the Executive Director of the Department of State's Attorneys and
19 Sheriffs or designee.