Journal of the House

Friday, April 10, 2015

At nine o'clock and thirty minutes in the forenoon the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Rose Meriam, finalist, 2015 Poetry Out Loud Contest, Barre, Vt.

Message from the Senate No. 43

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

Mr. Speaker:

I am directed to inform the House that:

The Senate has considered a bill originating in the House of the following title:

**H. 23.** An act relating to the Uniform Transfers to Minors Act.

And has passed the same in concurrence.

The Senate has considered House proposal of amendment to Senate bill of the following title:

**S. 13.** An act relating to the Vermont Sex Offender Registry.

And has concurred therein with a further amendment in the passage of which the concurrence of the House is requested.

The Governor has informed the Senate that on the ninth day of April, 2015, he approved and signed a bill originating in the Senate of the following title:

**S. 6.** An act relating to technical corrections to civil and criminal procedure statutes.

Resolution Read Second Time; Amended and Third Reading Ordered; Rules Suspended; Resolution Read the Third Time and Adopted; Rules Suspended and the Resolution was Ordered Messaged to the Senate Forthwith

J.R.H. 8

1006
Rep. Walz of Barre City, for the committee on General, Housing &
Military Affairs, to which had been referred Joint resolution, entitled

Joint resolution relating to military suicides

Reported in favor of its passage when amended by striking all after the title
and inserting in lieu thereof the following:

Whereas, according to a January 16, 2015, report in the publication Military
Times, nearly two-thirds of the military personnel who committed suicide in
2013 had seen a doctor within three months before taking their own lives, but
fewer than one-half had a mental health diagnosis, and fewer than one-third
expressed any intention to hurt themselves, and

Whereas, according to an August 2014 dispatch from the U.S. Department
of Veterans Affairs (VA), 8,000 veterans commit suicide annually, and this
averages to 22 per day, and

Whereas, the General Assembly acknowledges and appreciates the VA’s
efforts to increase its resources for mental health counseling and support,
including working to improve access to these services for veterans who meet
the national criteria and who live more than 40 miles from a VA medical
facility, and

Whereas, the VA has a toll-free military crisis line (1-800-273-8255) and
website (veteranscrisisline.net) that are accessible 24 hours per day, seven days
per week to service members and families for suicide prevention purposes, and

Whereas, despite the VA’s and the U.S. Department of Defense’s (DOD)
suicide prevention efforts, including Congress’s recent adoption of the Clay
Hunt Suicide Prevention for American Veterans Act, the suicide rate for our
men and women who have served in the U.S. Armed Forces remains far too
high, and

Whereas, military families have expressed concerns about the consistent
staffing of crisis lines, access to therapy options and effective medications, as
well as delays in obtaining mental health counseling appointments, and

Whereas, the DOD’s anti-stigma campaign, “Real Warriors, Real Battles,
Real Strength,” features real service members who have reached out for
support or sought treatment for invisible wounds and are continuing to
maintain successful military and civilian careers, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly recognizes the need for greater public
awareness of the military and veteran suicide rate, and be it further
Resolved: That the General Assembly supports the continued efforts of the VA, DOD, the Vermont National Guard, Vermont Vet-to-Vet, and other public and private organizations to address mental health issues, and be it further

Resolved: That the General Assembly supports the Vermont Veterans Legal Assistance Project in its work helping veterans review and appeal unfavorable discharges, possibly due to behavioral problems related to post-traumatic stress disorder (PTSD), traumatic brain injury (TBI) or both, in order to qualify for, or gain access to, VA services, and be it further

Resolved: That the General Assembly supports that federal policies be established under the authority of the Clay Hunt Suicide Prevention for American Veterans Act as follows:

(1) establish, support, and enhance peer support outreach programs for veterans; and

(2) train mental health counselors around military acronyms and situations specific to military life to help the veteran feel more comfortable when being treated for a mental health issue, and be it further

Resolved: That the General Assembly requests that the Secretary of Veteran Affairs designate Vermont as one of the five pilot program locations identified in the Clay Hunt Suicide Prevention for American Veterans Act, and be it further

Resolved: That the General Assembly strongly encourages the Armed Forces and VA to establish, support and enhance peer support outreach programs for the families of veterans, and be it further

Resolved: That the General Assembly strongly encourages the U.S. Armed Forces to require a period of reintegration for returning veterans that maintains unit cohesion, and be it further

Resolved: That the General Assembly urges the Vermont National Guard to increase educational efforts related to mental health care services in order to reduce both the existing stigma among military personnel and veterans to seek mental health assistance and to lower future suicide rates, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to U.S. Secretary of Veterans Affairs Robert A. McDonald, U.S. Secretary of Defense Ash Carter, the Vermont Congressional Delegation, Commissioner of Mental Health Paul Dupre, Vermont Adjutant and Inspector General Major General Steven A. Cray, and to the Vermont Office of Veterans Affairs.
The resolution, having appeared on the Calendar one day for notice, was taken up, read the second time and report of the committee on General, Housing & Military Affairs was agreed to.

Pending the question, Shall the resolution be read a third time? Rep. Fagan of Rutland City demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the resolution be read a third time? was decided in the affirmative. Yeas, 138. Nays, 0.

Those who voted in the affirmative are:

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<th>Ancel of Calais</th>
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<th>Lenes of Shelburne</th>
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<td>Bancroft of Westford</td>
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<td>Frank of Underhill</td>
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<td>Greshin of Warren</td>
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<td>Haas of Rochester</td>
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<td>Head of South Burlington</td>
<td>Miller of Shaftsbury</td>
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<td>Deen of Westminster</td>
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<td>Eastman of Orwell</td>
<td>Lefebvre of Newark</td>
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Those who voted in the negative are:
none

Those members absent with leave of the House and not voting are:
Buxton of Tunbridge  Gonzalez of Winooski  Ram of Burlington
Condon of Colchester  Morris of Bennington  Smith of Morristown
Davis of Washington  O’Brien of Richmond  Terenzini of Rutland Town
Ellis of Waterbury  Olsen of Londonderry

Rep. Troiano of Stannard explained his vote as follows:

“Mr. Speaker:

My heart is heavy with the member from Barre’s story. For 30 years I was treated for and fought without shame against combat related post-traumatic stress disorder. It is a long and difficult fight which goes on and on. I am fortunate to have overcome the trauma. I was lucky to have kept in mind that I fought too hard for my life to end my own life.”

On motion of Rep. Turner of Milton, the rules were suspended and the resolution placed on all remaining stages of passage. The resolution was read the third time and adopted and, on motion of Rep. Turner of Milton the rules were suspended and the resolution was ordered messaged to the Senate forthwith.

Senate Proposal of Amendment Concurred in
H. 86

The Senate proposed to the House to amend House bill, entitled
An act relating to the Uniform Interstate Family Support Act

In Sec. 2, 15B V.S.A. § 1801(c), by striking out the word “extradition” and inserting in lieu thereof the word rendition

Which proposal of amendment was considered and concurred in.
Third Reading; Bill Passed in Concurrence
With Proposal of Amendment

S. 115

Senate bill, entitled

An act relating to expungement of convictions based on conduct that is no longer criminal

Was taken up, read the third time and passed in concurrence with proposal of amendment.

Proposal of Amendment Agreed to; Third Reading Ordered

S. 71

Rep. Cupoli of Rutland City, for the committee on Education, to which had been referred Senate bill, entitled

An act relating to governance of the Vermont State Colleges

Reported in favor of its passage in concurrence with proposal of amendment as follows:

First: In Sec. 1, in 16 V.S.A. chapter 72, by striking out § 2185 (determination of residency for tuition purposes) in its entirety and inserting in lieu thereof the following:

§ 2185. DETERMINATION OF RESIDENCY FOR TUITION PURPOSES

(a) The Board of Trustees shall adopt policies related to residency for tuition purposes, consistent with State and federal requirements.

(b) Any member of the U.S. Armed Forces of the United States on active duty who is transferred to Vermont for duty other than for the purpose of education shall, upon transfer and for the period of active duty served in Vermont, be considered a resident for in-state tuition purposes at the start of the next semester or academic period.

Second: In Sec. 1, in 16 V.S.A. § 2171, by striking out subsection (a) in its entirety and inserting in lieu thereof a new subsection (a) to read as follows:

(a) There is created as a part of the educational system of the State of Vermont a public corporation to be known as “Vermont State Colleges,” which Colleges” or any other name that the Board of Trustees, established under section 2172 of this chapter, selects at a meeting duly warned for that purpose, provided that the word “Vermont” shall appear in the selected name. The Corporation shall plan, supervise, administer, and operate facilities for
education at the postsecondary level supported in whole or in substantial part with State funds; however, while the Corporation shall maintain cooperative relations with the University of Vermont and State Agricultural College, nothing in this chapter shall give the Corporation any responsibility for the planning, supervision, administration, or operation of the University.

Third: By adding a new section to be Sec. 2 to read:

Sec. 2. EFFECT OF AMENDMENT

In Sec. 1 of this act, 16 V.S.A. § 2171(a) is amended by authorizing the Board of Trustees established under 16 V.S.A. § 2172 to select a different name for the Corporation presently known as “Vermont State Colleges.” Notwithstanding any name that the Board of Trustees selects for the Corporation pursuant to 16 V.S.A. § 2171(a):

(1) All legal instruments executed in the name of the Vermont State Colleges or in any subsequent name selected under 16 V.S.A. § 2171(a) shall be legally binding on the Corporation.

(2) All statutory references to “Vermont State Colleges” shall mean the Corporation created under 16 V.S.A. § 2171(a).

and by renumbering the remaining sections to be numerically correct.

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

Senate Proposal of Amendment to
House Proposal of Amendment Concurred in

S. 98

The Senate concurred in the House proposal of amendment to Senate bill, entitled

An act relating to captive insurance companies;

By striking the First proposal of amendment in its entirety.

Which proposal of amendment was considered and concurred in.

Remarks Journalized

On motion of Rep. Morrissey of Bennington, the following remarks by Rep. Strong of Albany were ordered printed in the Journal:

“Mr. Speaker:
As a Gold Star Mother it is a privilege for me to introduce the Blue Star Mother, Valerie Pallota, who's son, PFC Josh Palotta, served in the Vermont Army National Guard from 2009-2014 and was deployed to Afghanistan in 2010. He succumbed to his ongoing battle with post traumatic stress and traumatic brain injuries, and ended his life six months ago on September 23, 2014 at the age of 25.

We are so sorry for your loss and we want to extend our condolences and pledge our support to help our Vermont Veterans have access to the resources they need to heal from the wounds they received in active duty for our country. Thank you for your son's service to our country and his life is not forgotten by a grateful state and nation.

Valerie has spoken to our Congress on behalf of our Congressional Delegation in Washington DC to share her story of her son. Also, Valerie and her husband Greg, are sponsoring a weekend of events in memory of Josh to raise money for the Josh Palotta Fund which will help veterans who are struggling with PTSD.

Thank you for being here today and God bless you as you work to help other veterans who are suffering from the traumas of their service.”

Remarks Journalized

On motion of Rep. Poirier of Barre City, the following remarks by Rep. Walz of Barre City were ordered printed in the Journal:

“Mr. Speaker:

My son-in-law, Ted Merchant, was an officer in the Coast Guard. He suffered from depression and anxiety. For a long time, he resisted asking for help, since he believed the stigma would be detrimental to his military career. When he finally did reach out for help, the system failed him, and he took his own life.

We wish Ted were celebrating his 43rd birthday next month; instead he lies buried in the Berlin Corner Cemetery just a few miles from here. In his last letter to our daughter, he begged her not to let him become just a statistic. Let us honor his wish.

Mr. Speaker, our veterans deserve better. It is for the sake of Ted Merchant and Josh Pallotta and all the other veterans who suffered tragic and needless deaths that we urge this body to support the resolution.”
Remarks Journalized

On motion of Rep. Turner of Milton, the following remarks by Rep. Higley of Lowell were ordered printed in the Journal:

“Mr. Speaker:

I would first like to thank the General Housing and Military Affairs committee for taking testimony and bringing an awareness to the issue of Military suicide.

This Resolution came about when Bryan Smith, a young soldier, approached me last fall after having a friend and fellow soldier, Josh Pallotta, take his life. He said he was on a new mission trying to prevent any other military related suicides. He at fist wanted to pass a law, that if the command or members of the family and even friends thought that you may be suicidal, you should be committed. Having served in Afghanistan and losing fellow soldiers you can understand his thoughts regarding such a drastic measure. However, he understood that a resolution would be helpful and was particularly concerned about councilors having a good understanding of military acronyms and lifestyles so he wouldn't be frustrated explaining what he was talking about.

There was a two and a half month period when I didn't hear from Bryan. After I testifying in committee he came forward and testified as well. I'm sorry to say, that this past week Bryan has been admitted to the VA Hospital in White River.

Many groups and individuals contributed to this Resolution. It not only brought awareness but also included some concrete suggestions as to how to help men and women in the military and veterans who suffer from PTSD, TBI, Depression and other issues, receive the much needed support and treatment they need and deserve.

Thanks again to the committee for taking up such an emotional but important issue!”

Adjournment

At eleven o'clock and eleven minutes in the forenoon, on motion of Rep. Turner of Milton, the House adjourned until Tuesday, April 14, 2015, at ten o’clock in the forenoon, pursuant to the provisions of JRS 23.

Concurrent Resolutions Adopted

The following concurrent resolutions, having been placed on the Consent Calendar on the preceding legislative day, and no member having requested
floor consideration as provided by Joint Rules of the Senate and House of Representatives, are hereby adopted in concurrence.

**H.C.R. 99**

House concurrent resolution congratulating Drew Duffy on winning the super-G title at the 2015 U.S. Alpine Championships;

**H.C.R. 100**

House concurrent resolution congratulating the 2015 Essex Union High School Division I championship boys’ ice hockey team;

**H.C.R. 101**

House concurrent resolution honoring volunteer curator Jim Davidson and the Rutland Historical Society;

**H.C.R. 102**

House concurrent resolution congratulating the 2014 U-32 High School boys’ track and field Division II championship team;

**H.C.R. 103**

House concurrent resolution congratulating Michael Law on his induction into the Vermont Principals’ Association Hall of Fame;

**H.C.R. 104**

House concurrent resolution congratulating the 2014 Harwood Union High School Highlanders Division II championship girls’ and boys’ cross country teams;

**H.C.R. 105**

House concurrent resolution congratulating the 2015 Mill River Union High School Minutemen Division II championship girls’ basketball team;

**H.C.R. 106**

House concurrent resolution honoring Bob Mark as an extraordinary music educator and outstanding classical violinist;

**H.C.R. 107**

House concurrent resolution congratulating the 2014 Mill River Union High School Minutemen Division II championship baseball team;
H.C.R. 108

House concurrent resolution expressing appreciation for the economic and health benefits that the yoga industry provides to Vermonters;

H.C.R. 109

House concurrent resolution congratulating the Lund Family Center on its 125th anniversary;

H.C.R. 110

House concurrent resolution honoring John Kerrigan on his exemplary high school coaching and teaching career at Harwood Union High School;

H.C.R. 111

House concurrent resolution commending the final Farmers Night Civil War Sesquicentennial anniversary presentation and the outstanding work of the Vermont Civil War Sesquicentennial Commission;

H.C.R. 112

House concurrent resolution congratulating the winning teams in the 2015 Junior Iron Chef Vermont statewide youth culinary competition;

S.C.R. 15

Senate concurrent resolution congratulating the General Federation of Women's Clubs on its 125th anniversary;

[The full text of the concurrent resolutions appeared in the House Calendar Addendum on the preceding legislative day and will appear in the Public Acts and Resolves of the 2015, seventy-third Biennial session.]