

# Journal of the House

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Wednesday, January 23, 2013

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

## Devotional Exercises

Devotional exercises were conducted by Rev. Mark Pitton of Bethany Church, Montpelier, 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. 61

By Reps. Till of Jericho and Donahue of Northfield,

House bill, entitled

An act relating to law enforcement officer licensing and regulation;

To the committee on Government Operations.

### H. 62

By Reps. O'Brien of Richmond, Christie of Hartford, Heath of Westford, Keenan of St. Albans City, Manwaring of Wilmington, Pearce of Richford, Ram of Burlington, Till of Jericho, Toll of Danville, Waite-Simpson of Essex, Winters of Williamstown and Wizowaty of Burlington,

House bill, entitled

An act relating to prohibiting the handheld use of a portable electronic device while driving;

To the committee on Judiciary.

### H. 63

By Rep. Sweaney of Windsor,

House bill, entitled

An act relating to repealing an annual survey of municipalities;

To the committee on Government Operations.

**H. 64**

By Reps. Sweaney of Windsor, Davis of Washington, McFaun of Barre Town and Poirier of Barre City,

House bill, entitled

An act relating to fair-share fees;

To the committee on General, Housing and Military Affairs.

**H. 65**

By Reps. Lippert of Hinesburg, O'Brien of Richmond, Conquest of Newbury, Goodwin of Weston, Grad of Moretown, Keenan of St. Albans City, Marek of Newfane, Miller of Shaftsbury, Waite-Simpson of Essex and Wizowaty of Burlington,

House bill, entitled

An act relating to limited immunity from liability for reporting a drug or alcohol overdose;

To the committee on Judiciary.

**Joint Resolution Placed on Calendar****J.R.H. 1**

Joint resolution relating to the history and legacy of the Vermont State Hospital and the preservation of its cemetery

Offered by: Representatives Donahue of Northfield, Batchelor of Derby, Beyor of Highgate, Bissonnette of Winooski, Botzow of Pownal, Branagan of Georgia, Burke of Brattleboro, Buxton of Tunbridge, Carr of Brandon, Christie of Hartford, Consejo of Sheldon, Dakin of Chester, Deen of Westminster, Devereux of Mount Holly, Dickinson of St. Albans Town, Donaghy of Poultney, Ellis of Waterbury, Emmons of Springfield, Frank of Underhill, French of Randolph, Grad of Moretown, Haas of Rochester, Head of South Burlington, Hebert of Vernon, Hooper of Montpelier, Jerman of Essex, Jewett of Ripton, Kitzmiller of Montpelier, Koch of Barre Town, Lenex of Shelburne, Lewis of Berlin, Lippert of Hinesburg, Martin of Springfield, Martin of Wolcott, Masland of Thetford, McFaun of Barre Town, Mrowicki of Putney, Myers of Essex, O'Brien of Richmond, O'Sullivan of Burlington, Poirier of Barre City, Potter of Clarendon, Pugh of South Burlington, Rachelson of Burlington, Russell of Rutland City, Savage of Swanton, Shaw of Pittsford, Shaw of Derby, Stevens of Waterbury, Strong of Albany, Stuart of Brattleboro, Taylor of Barre City, Till of Jericho, Townsend of Randolph, Townsend of

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South Burlington, Trieber of Rockingham, Turner of Milton, Waite-Simpson of Essex, and Wizowaty of Burlington

Whereas, in 1888, the trustees of the Vermont Asylum for the Insane in Brattleboro (renamed the Brattleboro Retreat in 1892 to avoid confusion with the Waterbury facility) reported that the facility was beyond its designed capacity, and Dr. Don D. Grout, the member from Stowe and a future superintendent of the Vermont State Asylum for the Insane (renamed the Vermont State Hospital for the Insane in 1898), introduced legislation that became Act 94, “An act providing for the care, custody and treatment of the insane poor and insane criminals of the state,” and

Whereas, the state purchased 500 acres of land in Waterbury for the new facility, and after initial construction, the first 25 patients arrived by train from Brattleboro on August 8, 1891, and

Whereas, during its 120 years of service, the Vermont State Hospital played a powerful role in the lives of many Vermonters, including many patients and staff, and

Whereas, from early on, the Vermont State Hospital confronted a continuing struggle to secure sufficient financing to provide the best quality of care, and in recent decades, it had been recognized that the facilities in Waterbury no longer allowed for state-of-the-art care, and the existing hospital needed to be closed, and

Whereas, in November 1927, and again at the end of August 2011, the staff and patients at the Vermont State Hospital undertook extraordinary measures to respond to devastating floods, and

Whereas, the severe damage that the Vermont State Hospital sustained in Tropical Storm Irene required an immediate relocation or replacement of services previously provided at the Vermont State Hospital, and

Whereas, as a new chapter in mental health care in Vermont begins, it should be one that integrates mental health care with other health care services, focuses on community supports and treatment close to home, avoids unnecessary hospitalization, and never abandons those with mental health needs, and

Whereas, with the closure of the historic Vermont State Hospital Waterbury campus, it is important to remember those individuals buried at the hospital’s cemetery in use from the hospital’s inception until 1912 and which includes a memorial stone with an inscription that reads:

This beautiful knoll overlooking the grounds of the Vermont State Hospital is matched in splendor only by the twenty or so residents of the Hospital who were buried here between 1891 and 1912. May their spirits soar, you are remembered, and

Whereas, the preservation of this cemetery and of the memory of those individuals is of lasting importance, and

Whereas, the names of those buried there have been gathered in the past, and may still be able to be located and preserved so that these individuals will not be left unknown, and

Whereas, there is evidence that at least two and perhaps more patients from the Vermont State Hospital were buried at different locations on the grounds in unmarked graves that are likely to never be identified which would be a grievous indication of past indifference to the lives of these individuals, a practice that should never again be permitted to occur in this state, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly observes the powerful role that the Vermont State Hospital played in the history of mental health treatment in Vermont and requests the State to maintain and preserve perpetually the hospital's cemetery, and be it further

Resolved: That the Department of Mental Health is requested to seek to identify from past records those individuals who were buried at different locations, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the Commissioner of Mental Health and the Commissioner of Buildings and General Services.

Which was read and, in the Speaker's discretion, placed on the Calendar for action on the next legislative day under Rule 52.

**Joint Resolution Adopted in Concurrence**

**J.R.S. 8**

By Senators Baruth and Benning.

**J.R.S. 8.** Joint resolution relating to weekend adjournment.

***Resolved by the Senate and House of Representatives:***

That when the two Houses adjourn on Friday, January 25, 2013, it be to meet again no later than Tuesday, January 29, 2013.

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Was taken up read and adopted in concurrence.

**Bill Amended, Read Third Time and Passed**

**H. 47**

House bill, entitled

An act relating to fiscal year 2013 budget adjustment

Was taken up and pending third reading of the bill, **Reps. Heath of Westford and Brennan of Colchester** moved to amend the bill as follows:

By adding a new Sec. 99a to read as follows:

Sec. 99a. TRANSPORTATION REVENUE SHORTFALL; REPORT

(a) The House and Senate Committees on Transportation and the Secretary of Administration shall develop a plan to address the fiscal year 2013 transportation revenue shortfall. This plan shall be presented to the Senate Committee on Appropriations on or before February 1, 2013.

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

**Adjournment**

At one o'clock and twenty minutes in the afternoon, on motion of **Rep. Turner of Milton**, the House adjourned until tomorrow at one o'clock in the afternoon.