

Journal of the House

Tuesday, March 26, 2013

At ten o'clock in the forenoon the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Rev. Amy Pitton of Bethany Church, Montpelier, Vt.

Pledge of Allegiance

Page Emma Cosgrove of Waterbury led the House in the Pledge of Allegiance.

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. 529

By Reps. Bissonnette of Winooski and Cross of Winooski,
House bill, entitled

An act relating to approval of an amendment to the charter of the Winooski Incorporated School District related to the term of district treasurer;

To the committee on Government Operations.

H. 530

By the committee on Appropriations,
An act relating to making appropriations for the support of government;
Under the rule, placed on the Calendar for notice.

Senate Bills Referred

Senate bills of the following titles were severally taken up, read the first time and referred as follows:

S. 7

Senate bill, entitled
An act relating to social networking privacy protection;
To the committee on General, Housing and Military Affairs.

S. 20

Senate bill, entitled

An act relating to increasing the statute of limitations for certain sex offenses against children;

To the committee on Judiciary.

S. 47

Senate bill, entitled

An act relating to protection orders and second degree domestic assault;

To the committee on Judiciary.

S. 73

Senate bill, entitled

An act relating to the moratorium on home health agency certificates of need;

To the committee on Human Services.

S. 88

Senate bill, entitled

An act relating to telemedicine services delivered outside a health care facility;

To the committee on Health Care.

S. 104

Senate bill, entitled

An act relating to expedited partner therapy;

To the committee on Health Care.

S. 156

Senate bill, entitled

An act relating to home visiting standards;

To the committee on Health Care.

Message from the Senate No. 31

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 on its part adopted joint resolution of the following title:

J.R.S. 22. Joint resolution providing for a Joint Assembly to vote on the retention of seven Superior Judges and one Magistrate.

In the adoption of which the concurrence of the House is requested.

Joint Resolution Adopted in Concurrence

J.R.S. 22

By Senator Nitka,

J.R.S. 22. Joint resolution providing for a Joint Assembly to vote on the retention of seven Superior Judges and one Magistrate.

Whereas, by virtue of the provisions of 4 V.S.A. § 608 and of J.R.S. 17, the vote on the retention seven Superior Court Judges, and one Magistrate who have submitted declarations seeking retention was deferred until March 28, 2013,

Whereas, the General Assembly desires to schedule the Joint Assembly earlier, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the two Houses meet in Joint Assembly on Wednesday, March 27, 2013, at nine o'clock in the forenoon to vote on the retention of seven Superior Court Judges, and one Magistrate. In case the vote to retain said Judges and Magistrate shall not be made on that day, the two Houses shall meet in Joint Assembly at ten o'clock and thirty minutes in the forenoon, on each succeeding day, Saturdays and Sundays excepted, and proceed until the above is completed.

Was taken up read and adopted in concurrence.

**Committee Relieved of Consideration
and Bill Committed to Other Committee**

H. 502

Rep. Pugh of South Burlington moved that the committee on Human Services be relieved of House bill, entitled

An act relating to concussions in youth athletics

And that the bill be committed to the committee on Health Care, which was agreed to.

**Committee Relieved of Consideration
and Bill Committed to Other Committee**

S. 156

Rep. Pugh of South Burlington moved that the committee on Health Care be relieved of Senate bill, entitled

An act relating to home visiting standards

And that the bill be committed to the committee on Human Services, which was agreed to.

Senate Proposal of Amendment Concurred in

J.R.H. 1

The Senate proposed to the House to amend Joint resolution, entitled

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

By striking all after the title and inserting in lieu thereof the following:

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, to the Commissioner of Buildings and General Services, and to the Commissioner of Forests, Parks and Recreation.

Which proposal of amendment was considered and concurred in.

Adjournment

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