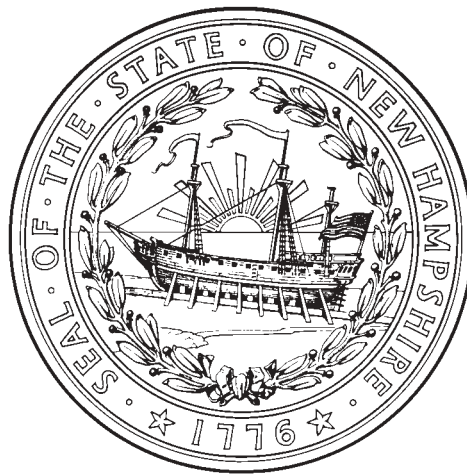


January 4, 2006  
Nos. 24 - 1

# STATE OF NEW HAMPSHIRE

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Legislative

## SENATE JOURNAL

**ADJOURNMENT – NOVEMBER 16, 2005 SESSION**  
**COMMENCEMENT – JANUARY 4, 2006 SESSION**

# SENATE JOURNAL 24 *(Cont.)*

*November 16, 2005*

## HOUSE MESSAGE

The House of Representatives, meeting in session on November 16, 2005, has voted to sustain the Governor's veto on the following entitled Bill(s):

**HB 354**, relative to the review, approval, and adoption of agency rules.

**Out of Recess.**

## LATE SESSION

Senator Clegg moved that the Senate adjourn from the late session.

**Adopted.**

**Adjournment.**

# SENATE JOURNAL 1

*January 4, 2006*

The Senate met at 10:00 a.m.

A quorum was present.

The Reverend David P. Jones, chaplain to the Senate, offered the prayer.

*Gracious God, You invite all of us to risk. Thank You for those who share their lives in ways that cost something, our soldiers, our servants, our coal miners and ourselves. And give us Your gifts and strength of conviction and perception and respect, that we will serve You in ways that make You smile. Amen*

Senator Gallus led the Pledge of Allegiance.

Senators Burling, D'Allesandro, Fuller Clark and Kenney are excused for the day.

## INTRODUCTION OF GUESTS

### NEW STAFF FOR THE 2006 LEGISLATIVE SESSION

Samantha Piatt  
Erin Hass  
Kenneth Murphy  
William G. Gardner "Chip"  
Patrick Murphy  
Deborah Chroniak  
Rachel Durazzani  
Barbara Harwood  
Jennifer Perry  
Angela Spradling

Chief of Staff  
Majority Policy Director  
Legal Counsel  
Senate Clerk's Office  
Legislative Aide  
Secretary  
Secretary  
Secretary  
Secretary  
Correspondence Secretary

## SUSPENSION OF THE RULES

Senator Clegg moved that the rules of the New Hampshire Senate be so far suspended as to allow introduction, and consideration at the present time of Senate Bill 392-FN-A, and by this motion, to allow a third reading motion in the early session.

**First and Second Reading**

06-3035

**SB 392-FN-A**, relative to the payment of Medicare Part D phased down state contribution, known as "clawback". (Sen. Morse, Dist 22; Sen. Clegg, Dist 14; Sen. Larsen Dist 15; Rep. King, Coos 1; Rep. O'Neil, Rock 15; Rep. Craig, Hills 9)

**Adopted by the necessary 2/3 vote.**

**SB 392-FN-A**, relative to the payment of Medicare Part D phased down state contribution, known as "clawback".

**Senator Morse moved ought to pass.**

**Adopted.**

Senator Clegg moved that **SB 392-FN-A**, relative to the payment of Medicare Part D phased down state contribution, known a "clawback", be by this motion, read a third time, the title be the same as adopted and ordered to third reading in the early session and be passed at present time.

**Adopted.**

**Third Reading and Final Passage**

**SB 392-FN-A**, relative to the payment of Medicare Part D phased down state contribution, known as "clawback."

**RESOLUTION**

Senator Clegg moved that all bills laid on the table from session year 2005 shall be by this resolution made inexpedient to legislate.

**Adopted.**

**SB 29**, relative to processing absentee ballots.

**SB 34-FN**, relative to reimbursement rates for child care.

**SB 71**, relative to amending warrant articles in towns that have adopted the official ballot form of town meeting.

**SB 109-FN**, relative to catastrophic special education funding.

**SB 116**, relative to payment procedures for the utility property tax.

**SB 133-FN**, relative to mooring permits.

**SB 134**, relative to medical decision making for those adults without capacity to make health care decisions for themselves and establishing procedures for Do Not Resuscitate Orders.

**SB 162-FN-A**, increasing the appropriation to the firemen's relief fund.

**SB 197-FN**, relative to captive insurance companies and reciprocal insurers.

**HB 56**, relative to food safety in restaurants.

**HB 84**, relative to compensation of county convention members for county business.

**HB 126**, relative to a public employee right of free speech.

**HB 220**, establishing a committee to study the ability of homeless youth in New Hampshire to make a successful transition to adulthood.

**HB 294**, relative to annulment of arrest records.

**HB 301-L**, relative to parent advisory councils for pupils with educational disabilities.

**HB 339**, relative to electioneering at polling places.

**HB 371**, relative to mercury reduction.

**HB 443**, relative to the statute of limitations for fire code violations.

**HB 498**, establishing a study committee relative to the sale of fire-safe cigarettes.

**HB 561**, relative to reasonable accommodation by employers under the state law against discrimination.

**HB 574-FN**, requiring the reporting of burn injuries.

**HB 604-FN**, discontinuing the use of tokens.

**HB 611**, relative to small group insurers.

**HB 702-FN**, relative to the screening and mediation of medical malpractice claims.

**HCR 8**, urging the Congress of the United States to place a moratorium on new free trade agreements, to investigate and review current free trade agreements and policies of the United States, to investigate and review participation of the United States with international trade organizations and to ensure that such agreements, policies, and participation are in the best interests of the citizens of the state of New Hampshire and the United States.

### AMENDMENT TO SENATE RULES

Senator Clegg moved to amend the New Hampshire Senate Rule 48 for the purpose of establishing legislative deadlines for session year 2006.

I move to amend rule 48, delete sections (a) through (f) and amending (g) through (j) to read as (a) through (d) and amend by replacing all after (d) with (e) through (k):

48. Deadlines:

a) The filing period for legislation to be acted on in the second year session, beginning January 2006, will commence on Tuesday, September 6, 2005.

b) The Office of Legislative Services shall not draft a Senate Bill or resolution, unless a request by a member for drafting with complete information has been received not later than 3:00 p.m. on Friday, September 23, 2005. The last day to sign-off legislation for the above filing period shall be Friday, December 2, 2005 at 3:00 p.m.

c) The filing period for legislation recommended by a Study Committee or Commission created by a Senate Bill to be acted on in the second year session, beginning January 2006, will commence on Wednesday, November 2, 2005.

d) The Office of Legislative Services shall not draft a Senate Bill recommended by a Study Committee or Commission created by a Senate Bill, unless a request by the Chairman for drafting with complete information has been received not later than 3:00 p.m. on Tuesday, December 6, 2005. The last day to sign-off legislation for the above filing period shall be Tuesday, January 17, 2006 at 3:00 p.m.

e) Thursday, March 9, 2006 deadline for Policy Committees to report on all Senate money bills.

f) Wednesday, March 22, 2006 deadline for Policy committees to report on Senate non-money bills. (Crossover)

g) Thursday, April 20, 2006 deadline for Policy Committees to report on all House money bills.

h) Thursday, May 4, 2006 deadline for Policy Committees to report on all House non-money bills.

i) Thursday, May 11, 2006 last day to form Committees of Conference.

j) Thursday, May 18, 2006 last day to sign Committee of Conference Reports.

k) Wednesday, May 24, 2006 last day to act on Committee of Conference Reports.

**Adopted by the necessary 2/3 vote.**

### INTRODUCTION OF SENATE BILL(S)

Senator Clegg offered the following Resolution:

RESOLVED that, in accordance with the list in the possession of the Senate Clerk, Senate legislation numbered from **SB 229** to **SJR 4** shall be by this resolution read a first and second time by the therein listed title(s) and referred to the designated committee(s).

**Adopted.**

### First and Second Reading and Referral

06-2003

**SB 229**, relative to subsidizing malpractice premiums for certain specialties. (Burling, Dist 5; Fuller Clark, Dist 24: Internal Affairs)

06-2010

**SB 230**, relative to the scope of liability of a medical director responsible for utilization review under the managed care law. (Clegg, Dist 14; Green, Dist 6; Morse, Dist 22; Foster, Dist 13; Gottesman, Dist 12; Craig, Hills 9; DeJoie, Merr 11; Marshall Quandt, Rock 13; O'Neil, Rock 15; Newton, Straf 1: Judiciary)

06-2020

**SB 231**, relative to the residency requirement to qualify for the elderly property tax exemption. (Barnes, Dist 17; Charron, Rock 7: Public and Municipal Affairs)

06-2923

**SB 232-FN-A**, making a capital appropriation to the department of health and human services for a dental facility in the town of Tamworth. (Kenney, Dist 3: Capital Budget)

06-2023

**SB 233**, relative to motorcycle rider education. (Letourneau, Dist 19; Packard, Rock 3: Transportation and Interstate Cooperation)

06-2026

**SB 234**, including the International Residential Code 2000 in the definition of the state building code. (Clegg, Dist 14; Morse, Dist 22; Flanders, Dist 7; Infantine, Hills 13; Slocum, Hills 6; Marshall Quandt, Rock 13; O'Neil, Rock 15: Public and Municipal Affairs)

06-2027

**SB 235**, relative to food safety in restaurants. (D'Allesandro, Dist 20; Fuller Clark, Dist 24; Pilliod, Belk 5; P. Allen, Ches 6; Emerson, Ches 7: Executive Departments and Administration)

06-2117

**SB 236**, establishing an employment restriction on former board members of public corporations. (D'Allesandro, Dist 20: Internal Affairs)

06-2176

**SB 237**, relative to excessive overpricing of essential commodities during a declared state of emergency. (Larsen, Dist 15; Green, Dist 6; D'Allesandro, Dist 20; Gottesman, Dist 12; Osborne, Merr 12; Theberge, Coos 4; Lockwood, Merr 6; E. Blanchard, Merr 10: Energy and Economic Development)

06-2177

**SB 238**, relative to assistance to members of the general court provided by the legislative budget assistant. (Gatsas, Dist 16; Fuller Clark, Dist 24; Barnes, Dist 17; Larsen, Dist 15; Estabrook, Dist 21; Odell, Dist 8; Kenney, Dist 3; Roberge, Dist 9; Johnson, Dist 2; Letourneau, Dist 19; Clegg, Dist 14; Green, Dist 6; W. D. Scamman, Rock 13; O'Neil, Rock 15; M. Smith, Straf 7: Internal Affairs)

06-2281

**SB 239**, renaming the bridge located on Main Street in Enfield, New Hampshire and crossing the Mascoma River as the Women in Service to Enfield (WISE) Bridge. (Burling, Dist 5: Transportation and Interstate Cooperation)

06-2310

**SB 240**, relative to transmission poles or structures on public highways. (Kenney, Dist 3: Energy and Economic Development)

06-2312

**SB 241**, allowing municipalities to exclude certain retirement assets from consideration in qualifying for the elderly property tax exemption. (Kenney, Dist 3; Price, Hills 26; Powers, Rock 16; Dickinson, Carr 1: Public and Municipal Affairs)

06-2314

**SB 242**, prohibiting a person charged with unlawfully killing a decedent from taking from the decedent's estate. (Gottesman, Dist 12; D'Allesandro, Dist 20; Clegg, Dist 14; Foster, Dist 13; Dokmo, Hills 6; Harvey, Hills 21; Mooney, Hills 19; Knowles, Straf 6; Drisko, Hills 5: Judiciary)

06-2344

**SB 243**, establishing a commission to study rural transit in New Hampshire. (Kenney, Dist 3: Energy and Economic Development)

06-2384

**SB 244**, relative to alternative regulation of small incumbent local exchange carriers. (Boyce, Dist 4: Energy and Economic Development)

06-2400

**SB 245**, repealing laws relative to the municipal courts and the administrative committee of the district and municipal courts. (Foster, Dist 13; Dokmo, Hills 6: Judiciary)

06-2403

**SB 246**, relative to provisions for permissible contact between the agent of the defendant subject to a protective order and a plaintiff. (Foster, Dist 13; Clegg, Dist 14; Gottesman, Dist 12; Knowles, Straf 6; Lasky, Hills 26: Judiciary)

06-2464

**SB 247**, establishing a right to work act which provides for freedom of choice on whether to join a labor union. (Boyce, Dist 4: Banks and Insurance)

06-2499

**SB 248**, establishing a committee to study the issuance of dealer plates to bonded motor vehicle dealers. (Flanders, Dist 7: Transportation and Interstate Cooperation)

06-2500

**SB 249**, allowing a master electrician to have 2 apprentice electricians under his or her supervision. (Flanders, Dist 7; Infantine, Hills 13; Hirschmann, Hills 17: Executive Departments and Administration)

06-2549

**SB 250**, relative to lead paint poisoning prevention. (D'Allesandro, Dist 20; Martel, Dist 18; Fuller Clark, Dist 24; Craig, Hills 9; DeVries, Hills 15: Environment and Wildlife)

06-2560

**SB 251**, relative to the enforcement authority of the division of safety services. (Flanders, Dist 7: Environment and Wildlife)

06-2570

**SB 252**, relative to defining "speech-language assistant" for purposes of speech language pathology practice. (Hassan, Dist 23; Flanders, Dist 7; P. McMahon, Merr 3; Bergin, Hills 6; Dexter, Ches 6; C. Robertson, Rock 13: Executive Departments and Administration)

06-2571

**SB 253**, relative to enforcement of support orders for college and postsecondary educational expenses. (Hassan, Dist 23; Larsen, Dist 15: Education)

06-2628

**SB 254**, renaming a certain bridge in the town of Stratford the Janice Peaslee Bridge. (Gallus, Dist 1; Odell, Dist 8; Barnes, Dist 17; Roberge, Dist 9; Remick, Coos 2; H. Richardson, Coos 2; Merrick, Coos 2; Tholl, Coos 2; Stohl, Coos 1: Public and Municipal Affairs)

06-2639

**SB 255**, establishing a committee to study the funding necessary to operate the hazardous materials program in New Hampshire. (Eaton, Dist 10; Flanders, Dist 7; D'Allesandro, Dist 20; S. L'Heureux, Merr 9; Bridle, Rock 15; Goley, Hills 8; DeJoie, Merr 11: Environment and Wildlife)

06-2649

**SB 256**, relative to the definition of "harm" for purposes of the crime of improper influence. (Johnson, Dist 2; Flanders, Dist 7: Judiciary)

06-2681

**SB 257**, requiring the joint legislative committee on administrative rules to study procedures for agency responses to complaints from the public. (Fuller Clark, Dist 24; Patten, Carr 4: Executive Departments and Administration)

06-2682

**SB 258**, requiring the joint legislative committee on administrative rules to study methods for improving notice to the public of proposed administrative rules. (Fuller Clark, Dist 24; Patten, Carr 4: Executive Departments and Administration)

06-2687

**SB 259**, relative to the duty of care of occupants of land constructing or maintaining snowmobile trails. (Flanders, Dist 7: Environment and Wildlife)



06-2691

**SB 260**, relative to certification of a registered nurse responsible for emergency medical transportation. (Johnson, Dist 2; Burling, Dist 5: Health and Human Services)

06-2698

**SB 261**, establishing a committee to study a highway project between Pembroke and Bow. (Larsen, Dist 15; Field, Merr 7; Greco, Merr 7: Transportation and Interstate Cooperation)

06-2700

**SB 262**, establishing a strategic planning commission for gender-responsive management of female offenders in the criminal justice system. (Larsen, Dist 15; D'Allesandro, Dist 20; Hassan, Dist 23; Fuller Clark, Dist 24; Roberge, Dist 9; Price, Hills 26; Dowling, Rock 5; Houde-Quimby, Sull 1; E. Blanchard, Merr 10; Wall, Straf 7: Judiciary)

06-2702

**SB 263**, relative to inclusionary zoning and workforce housing. (Larsen, Dist 15; Fuller Clark, Dist 24; D'Allesandro, Dist 20; Craig, Hills 9: Executive Departments and Administration)

06-2706

**SB 264**, relative to the chief financial officer of the department of environmental services. (Clegg, Dist 14; Gallus, Dist 1; D'Allesandro, Dist 20; Whalley, Belk 5; Thomas, Belk 5: Executive Departments and Administration)

06-2731

**SB 265**, relative to workers' compensation requirements for out-of-state employers and employees. (Hassan, Dist 23; D'Allesandro, Dist 20; Flanders, Dist 7; Odell, Dist 8; Fuller Clark, Dist 24; Infantine, Hills 13; Mooney, Hills 19; Reardon, Merr 11: Banks and Insurance)

06-2734

**SB 266**, requiring candidates for employment at the department of education to submit to a criminal background check. (Barnes, Dist 17: Education)

06-2773

**SB 267**, relative to the definition of employee and clarifying the criteria for exempting workers from employee status. (Hassan, Dist 23: Banks and Insurance)

06-2801

**SB 268**, raising the age of required attendance of children in school. (Green, Dist 6; Estabrook, Dist 21; Gallus, Dist 1; D'Allesandro, Dist 20; Foster, Dist 13; Odell, Dist 8; Gottesman, Dist 12; Larsen, Dist 15; Hassan, Dist 23; Martel, Dist 18; Weyler, Rock 8; S. 'L'Heureux, Merr 9; Craig, Hills 9; Snyder, Straf 2: Education)

06-2810

**SB 269**, ratifying certain actions at the 1996 Seabrook annual town meeting. (Hassan, Dist 23; Fuller Clark, Dist 24; Weare, Rock 14: Public and Municipal Affairs)

06-2861

**SB 270**, relative to a certain motor vehicle plate. (Barnes, Dist 17: Transportation and Interstate Cooperation)

06-2872

**SB 271**, relative to the availability of voter checklist information. (Green, Dist 6; D'Allesandro, Dist 20: Internal Affairs)

06-2909

**SB 272**, establishing a committee to study laws relating to funerals and crematories, and their effectiveness. (Fuller Clark, Dist 24; Hassan, Dist 23; Harvey, Hills 21; Marshall Quandt, Rock 13; Langley, Rock 18; Jillette, Sull 2: Health and Human Services)

06-2958

**SB 273**, relative to reasonable accommodations for employees with disabilities. (Hassan, Dist 23; Fuller Clark, Dist 24; Foster, Dist 13; Larsen, Dist 15; P. McMahon, Merr 3; Bergin, Hills 6; Rogers Johnson, Rock 13; Ulery, Hills 27; D. Eaton, Ches 2: Banks and Insurance)

06-2961

**SB 274**, adding court security to the duties of the New Hampshire court accreditation commission. (Foster, Dist 13; Dokmo, Hills 6: Judiciary)

06-3003

**SB 275**, removing the requirement for criminal record checks for licensed nurses. (Martel, Dist 18: Judiciary)

06-3031

**SB 276**, authorizing the town of Seabrook to plow and remove snow from certain private driveways. (Hassan, Dist 23; Palazzo, Rock 14: Public and Municipal Affairs)

06-2006

**SB 277-LOCAL**, permitting seasonal camps to qualify as open space land for current use assessment. (Burling, Dist 5; Fuller Clark, Dist 24: Public and Municipal Affairs)

06-2007

**SB 278-FN**, exempting certain transfers from the real estate transfer tax. (Burling, Dist 5: Ways and Means)

06-2008

**SB 279-FN**, allowing employees of area agencies and mental health clinics to be treated as state employees for purposes of insurance. (Burling, Dist 5; Fuller Clark, Dist 24; Bleyler, Graf 9: Banks and Insurance)

06-2021

**SB 280-FN-A-LOCAL**, adding a surcharge to motor vehicle fines for use by municipalities. (Barnes, Dist 17: Finance)

06-2311

**SB 281-FN**, establishing an organ and tissue donor registry. (Kenney, Dist 3; Martel, Dist 18; Gottesman, Dist 12; MacKay, Merr 11; Dickinson, Carr 1: Transportation and Interstate Cooperation)

06-2326

**SB 282-FN-LOCAL**, relative to removal of abandoned vehicles on private property. (Kenney, Dist 3: Judiciary)

06-2340

**SB 283-FN**, relative to stop loss insurance. (Flanders, Dist 7; Hassan, Dist 23; Martel, Dist 18; S. Francoeur, Rock 15: Banks and Insurance)

06-2398

**SB 284-FN**, establishing a third full-time justice position in the Manchester, Nashua, and Concord District Courts and equalizing the annual salaries of all justices of the Manchester, Nashua, and Concord District Courts. (Foster, Dist 13; Gottesman, Dist 12; D'Allesandro, Dist 20; Martel, Dist 18; D. Cote, Hills 23; B. Francoeur, Hills 26; Lasky, Hills 26: Judiciary)

06-2401

**SB 285-FN**, equalizing the pay of administrative judges in the judicial branch. (Foster, Dist 13; Dokmo, Hills 6: Executive Departments and Administration)

06-2402

**SB 286-FN**, requiring first class mail notice to defendants in small claims actions. (Foster, Dist 13: Judiciary)

06-2463

**SB 287-FN**, making certain changes to the eminent domain statute. (Odell, Dist 8; Foster, Dist 13; Gottesman, Dist 12; Bragdon, Dist 11; Clegg, Dist 14; Green, Dist 6; Burling, Dist 5; Gatsas, Dist 16; Johnson, Dist 2; Roberge, Dist 9; Hassan, Dist 23; Flanders, Dist 7; Estabrook, Dist 21; Barnes, Dist 17; Boyce, Dist 4; D'Allesandro, Dist 20; Eaton, Dist 10; Fuller Clark, Dist 24; Gallus, Dist 1; Kenney, Dist 3; Larsen, Dist 15; Letourneau, Dist 19; Martel, Dist 18; Morse, Dist 22; Dokmo, Hills 6; Mooney, Hills 19; Soltani, Merr 8; Weyler, Rock 8: Public and Municipal Affairs)

06-2465

**SB 288-FN**, relative to street rods and custom vehicles. (Boyce, Dist 4: Transportation and Interstate Cooperation)

06-2466

**SB 289-FN**, relative to the brain and spinal cord advisory council. (Boyce, Dist 4; Boyce, Belk 5; Emerton, Hills 7; Weyler, Rock 8: Internal Affairs)

06-2501

**SB 290-FN-LOCAL**, relative to wellness programs in public schools. (Flanders, Dist 7: Education)

06-2505

**SB 291-FN**, relative to food service licensure for youth camps. (Martel, Dist 18; Barnes, Dist 17; Roberge, Dist 9: Executive Departments and Administration)



06-2541

**SB 292-FN**, relative to permits for combustion of certain waste. (Larsen, Dist 15; C. Hamm, Merr 4; Phinizy, Sull 5: Energy and Economic Development)

06-2544

**SB 293-FN-A**, repealing an exemption from the communications services tax. (D'Allesandro, Dist 20: Finance)

06-2546

**SB 294-FN-A**, authorizing 7 additional state troopers and making an appropriation therefor. (D'Allesandro, Dist 20; Clegg, Dist 14; Foster, Dist 13; Burling, Dist 5; Gottesman, Dist 12; Larsen, Dist 15; Estabrook, Dist 21; Hassan, Dist 23; Fuller Clark, Dist 24; Letourneau, Dist 19; Gallus, Dist 1; Johnson, Dist 2; Barnes, Dist 17; Martel, Dist 18; Kenney, Dist 3; Green, Dist 6; Craig, Hills 9; D. Eaton, Ches 2; Emerton, Hills 7; Packard, Rock 3; Hunter, Hills 7: Finance)

06-2559

**SB 295-FN**, relative to registration of business entities. (Flanders, Dist 7; S. Francoeur, Rock 15: Internal Affairs)

06-2583

**SB 296-FN**, relative to recovery of public assistance. (Clegg, Dist 14; Gottesman, Dist 12; Martel, Dist 18; Larsen, Dist 15; Green, Dist 6; Craig, Hills 9; Kurk, Hills 7; O'Neil, Rock 15: Health and Human Services)

06-2604

**SB 297-FN**, establishing a new position and relative to the realignment of functions in the department of corrections. (D'Allesandro, Dist 20; Fuller Clark, Dist 24: Executive Departments and Administration)

06-2669

**SB 298-FN**, relative to motor vehicle fines. (Morse, Dist 22; Clegg, Dist 14; Boyce, Dist 4; Barnes, Dist 17; Letourneau, Dist 19: Finance)

06-2680

**SB 299-FN**, relative to health insurance rate changes. (Fuller Clark, Dist 24; Marshall Quandt, Rock 13; DeJoie, Merr 11; Langley, Rock 18: Banks and Insurance)

06-2704

**SB 300-FN-A-LOCAL**, exempting certain transfers of real estate between charitable organizations from the real estate transfer tax. (Burling, Dist 5: Ways and Means)

06-2718

**SB 301-FN**, relative to pooled risk management programs for municipalities and public entities. (Clegg, Dist 14; Green, Dist 6; Currier, Merr 5; Hunt, Ches 7: Banks and Insurance)

06-2738

**SB 302-FN**, relative to real estate brokers. (Gallus, Dist 1: Executive Departments and Administration)

06-2751

**SB 303-FN**, relative to elective angioplasty. (Martel, Dist 18: Health and Human Services)

06-2781

**SB 304**, relative to negotiating provider payments by the commissioner of the department of health and human services. (Green, Dist 6: Ways and Means)

06-2790

**SB 305-FN**, relative to the regulation of recreational therapists. (Estabrook, Dist 21; Fuller Clark, Dist 24; Hassan, Dist 23; Flanders, Dist 7; Powers, Rock 16; Irwin, Hills 3; Houde-Quimby, Sull 1; Bergin, Hills 6: Executive Departments and Administration)

06-2794

**SB 306-FN-A**, establishing a quality early learning opportunity initiative and making an appropriation therefor. (Estabrook, Dist 21; Green, Dist 6; Odell, Dist 8; Foster, Dist 13; Gallus, Dist 1; Hassan, Dist 23; Martel, Dist 18; Fuller Clark, Dist 24; Pilliod, Belk 5; Gargas, Hills 5; Gile, Merr 10; Wallner, Merr 12: Education)

06-2795

**SB 307-FN**, relative to catastrophic special education funding. (Estabrook, Dist 21; Green, Dist 6; Foster, Dist 13; D'Allesandro, Dist 20; M. Smith, Straf 7; Rous, Straf 7; W. P. Campbell, Straf 3; Naro, Graf 7: Education)

06-2803

**SB 308-FN-A-LOCAL**, making an appropriation for school building aid. (Estabrook, Dist 21; Green, Dist 6; D'Allesandro, Dist 20; Foster, Dist 13; Fuller Clark, Dist 24; Naro, Graf 7; Rous, Straf 7; Snyder, Straf 2: Finance)

06-2809

**SB 309-FN-A**, granting retirement benefits to certain retired judges, and making an appropriation therefor. (Hassan, Dist 23: Executive Departments and Administration)

06-2860

**SB 310-FN**, establishing gold star number plates. (Barnes, Dist 17; Gallus, Dist 1; Kenney, Dist 3: Transportation and Interstate Cooperation)

06-2862

**SB 311-FN**, relative to disclosure of the results of clinical trials. (Barnes, Dist 17; Larsen, Dist 15; Fuller Clark, Dist 24: Health and Human Services)

06-2899

**SB 312-FN**, relative to notice of rulemaking by the real estate appraiser board. (Barnes, Dist 17; Charron, Rock 7: Executive Departments and Administration)

06-2902

**SB 313-FN**, relative to the exemptions for the practice of massage therapy. (Fuller Clark, Dist 24; Gallus, Dist 1; Larsen, Dist 15: Executive Departments and Administration)

06-2904

**SB 314-FN-LOCAL**, establishing minimum renewable standards for energy portfolios. (Fuller Clark, Dist 24; Bragdon, Dist 11; Green, Dist 6; Gallus, Dist 1; Harvey, Hills 21; Keans, Straf 1; Cataldo, Straf 3; Kaen, Straf 7; Ross, Hills 3: Energy and Economic Development)

06-2905

**SB 315-FN-A-LOCAL**, repealing the statewide enhanced education tax. (Fuller Clark, Dist 24; Burling, Dist 5; Langley, Rock 18: Finance)

06-2910

**SB 316-FN-LOCAL**, requiring interpretation services upon request for persons receiving medical treatment. (Fuller Clark, Dist 24; Velez, Hills 12; Harvey, Hills 21; Jeudy, Hills 10; Jillette, Sull 2: Health and Human Services)

06-2256

**SB 317-FN**, establishing an occupational and professional regulation screening and appeals board to review complaints to and decisions by occupational and professional regulatory boards. (Green, Dist 6; R. Wheeler, Hills 7: Public and Municipal Affairs)

06-2964

**SB 318-FN**, relative to the use of deadly force to protect oneself. (Bragdon, Dist 11; Letourneau, Dist 19; Stepanek, Hills 6; Hinkle, Hills 19; Mooney, Hills 19; Soltani, Merr 8: Judiciary)

06-2001

**SB 319**, establishing a statutory county government commission. (Burling, Dist 5; Fuller Clark, Dist 24; Clegg, Dist 14; Hassan, Dist 23; E. Blanchard, Merr 10; Phinizy, Sull 5: Public and Municipal Affairs)

06-2014

**SB 320**, relative to investigations of cruelty to horses. (Roberge, Dist 9; Barnes, Dist 17; Marshall Quandt, Rock 13; B. Richardson, Ches 5; Villeneuve, Hills 18; N. Johnson, Straf 3: Public and Municipal Affairs)

06-2015

**SB 321**, relative to delinquency proceedings for juveniles committing felony cruelty to animals. (Roberge, Dist 9; Marshall Quandt, Rock 13; B. Richardson, Ches 5; N. Johnson, Straf 3; Villeneuve, Hills 18: Judiciary)

06-2018

**SB 322**, establishing the business loan enhancement program. (Odell, Dist 8; Hassan, Dist 23; D'Allesandro, Dist 20; Flanders, Dist 7; Stepanek, Hills 6; Ingram, Rock 4: Finance)

06-2019

**SB 323**, establishing a legislative youth advisory council. (Odell, Dist 8; Eaton, Dist 10; Hassan, Dist 23; D'Allesandro, Dist 20; Naro, Graf 7; Velez, Hills 12: Public and Municipal Affairs)

06-2024

**SB 324**, requiring notification concerning certain offenders against children. (Letourneau, Dist 19; Foster, Dist 13; Roberge, Dist 9; Clegg, Dist 14; Barnes, Dist 17; Knowles, Straf 6; Packard, Rock 3; Welch, Rock 8; Tholl, Coos 2; Rausch, Rock 5: Judiciary)

06-2025

**SB 325**, making technical corrections to motor vehicle laws. (Letourneau, Dist 19; Morse, Dist 22; Clegg, Dist 14; Burling, Dist 5; Estabrook, Dist 21; Packard, Rock 3; Ferland, Sull 5: Transportation and Interstate Cooperation)

06-2028

**SB 326**, relative to a temporary moratorium on large groundwater permits and withdrawals. (Estabrook, Dist 21; Fuller Clark, Dist 24; Green, Dist 6; Barnes, Dist 17; Hassan, Dist 23; Cady, Rock 1; Spang, Straf 7; Cilley, Straf 3: Energy and Economic Development)

06-2264

**SB 327**, establishing the New Hampshire civil war cannon restoration fund. (Letourneau, Dist 19; Clegg, Dist 14; Martel, Dist 18; Barnes, Dist 17; Kenney, Dist 3; Packard, Rock 3; Welch, Rock 8; Coughlin, Hills 4; Heon, Straf 2: Public and Municipal Affairs)

06-2325

**SB 328**, relative to the regulation of snowmobiles and off highway recreational vehicles. (Flanders, Dist 7; Burling, Dist 5; Martel, Dist 18; D. Eaton, Ches 2; R. L'Heureux, Hills 19; Goyette, Hills 27: Environment and Wildlife)

06-2329

**SB 329**, prohibiting dogs from being left alone in cars. (Roberge, Dist 9; B. Richardson, Ches 5; N. Johnson, Straf 3; Villeneuve, Hills 18: Public and Municipal Affairs)

06-2343

**SB 330**, relative to outdoor advertising. (Letourneau, Dist 19; Gallus, Dist 1; Roberge, Dist 9; Green, Dist 6; Dowd, Rock 5; Matthew Quandt, Rock 13; Graham, Hills 18; S. Eaton, Graf 1: Energy and Economic Development)

06-2349

**SB 331**, relative to certain small loans. (Foster, Dist 13; D'Allesandro, Dist 20; Odell, Dist 8; Rosenwald, Hills 22; D. Cote, Hills 23: Banks and Insurance)

06-2396

**SB 332**, making technical corrections to the uniform trust code and related statutes. (Foster, Dist 13; Gottesman, Dist 12; Reardon, Merr 11; Hunt, Ches 7: Judiciary)

06-2397

**SB 333**, relative to inquiries of DWI defendants regarding establishments serving alcohol to the defendants. (Foster, Dist 13; Barnes, Dist 17; Roberge, Dist 9; Tholl, Coos 2; Mooney, Hills 19: Judiciary)

06-2430

**SB 334**, authorizing the use of a credit freeze as a means of deterring identity theft. (Gottesman, Dist 12; Roberge, Dist 9; Gallus, Dist 1; Clegg, Dist 14; D'Allesandro, Dist 20; Fuller Clark, Dist 24; Hogancamp, Ches 4; Maxfield, Merr 6; Wall, Straf 7; Ulery, Hills 27: Judiciary)

06-2537

**SB 335**, relative to funds of the department of resources and economic development used for snowmobile trail grooming equipment. (Gallus, Dist 1; Johnson, Dist 2; Russell, Belk 6; D. Eaton, Ches 2; Stohl, Coos 1; Parkhurst, Ches 4: Environment and Wildlife)

06-2538

**SB 336**, relative to security deposits in landlord tenant matters. (Gallus, Dist 1; Boyce, Dist 4; Green, Dist 6; Remick, Coos 2: Public and Municipal Affairs)

06-2539

**SB 337**, relative to the sale and repurchase of property acquired by tax deed. (Gallus, Dist 1; Hassan, Dist 23; Odell, Dist 8; Morneau, Coos 4: Public and Municipal Affairs)

06-2572

**SB 338**, relative to insurance coverage for children's early intervention therapy services. (Hassan, Dist 23; Estabrook, Dist 21; D'Allesandro, Dist 20; McLeod, Graf 2; Wallner, Merr 12: Banks and Insurance)

06-2668

**SB 339**, changing certain job titles and responsibilities in the department of transportation. (Morse, Dist 22: Executive Departments and Administration)

06-2683

**SB 340**, establishing a legislative health care advisory board. (Fuller Clark, Dist 24; Hassan, Dist 23; Langley, Rock 18: Health and Human Services)

06-2712

**SB 341**, extending by one year the advisory-only period for OBD II testing. (Morse, Dist 22; Clegg, Dist 14; Letourneau, Dist 19; Burling, Dist 5; Packard, Rock 3: Transportation and Interstate Cooperation)

06-2717

**SB 342**, relative to the treatment of glaucoma by optometrists, and eliminating the joint pharmaceutical formulary and credentialing committee. (Martel, Dist 18; Clegg, Dist 14; Letourneau, Dist 19; Gallus, Dist 1; Johnson, Dist 2; G. Katsakiores, Rock 5; P. Katsakiores, Rock 5; DeJoie, Merr 11; Dalrymple, Rock 4; R. Wheeler, Hills 7: Executive Departments and Administration)

06-2730

**SB 343**, relative to emergency contraception. (Letourneau, Dist 19; Barnes, Dist 17; Boyce, Dist 4; Kenney, Dist 3; Morse, Dist 22; Martel, Dist 18; Dowd, Rock 5; Easson, Straf 3: Health and Human Services)

06-2736

**SB 344**, establishing a committee to study state benefit programs for national guard members. (Barnes, Dist 17: Public and Municipal Affairs)

06-2791

**SB 345**, establishing a lobbying commission and relative to lobbyist registration and financial disclosure requirements. (Estabrook, Dist 21; Burling, Dist 5; Fuller Clark, Dist 24; D'Allesandro, Dist 20; Green, Dist 6; Hassan, Dist 23; Larsen, Dist 15; Odell, Dist 8; Roberge, Dist 9: Internal Affairs)

06-2903

**SB 346-FN**, codifying certain septic system rules. (Fuller Clark, Dist 24; Phinizy, Sull 5; Harvey, Hills 21; Keans, Straf 1; Powers, Rock 16: Public and Municipal Affairs)

06-2906

**SB 347**, establishing a committee to study the state employee health insurance plan. (Fuller Clark, Dist 24; Green, Dist 6; Weyler, Rock 8: Banks and Insurance)

06-2967

**SB 348**, prohibiting the taking of arms and ammunition in a declared state of emergency. (Bragdon, Dist 11; Stepanek, Hills 6; Hinkle, Hills 19; Mooney, Hills 19; Soltani, Merr 8: Public and Municipal Affairs)

06-3020

**SB 349**, relative to the HIV/AIDS service delivery system. (Estabrook, Dist 21; Barnes, Dist 17; Kenney, Dist 3; MacKay, Merr 11; Schulze, Hills 26: Health and Human Services)

06-2012

**SB 350-FN**, relative to boarding kennels and relative to dog grooming. (Roberge, Dist 9; Marshall Quandt, Rock 13; B. Richardson, Ches 5; N. Johnson, Straf 3; Villeneuve, Hills 18: Executive Departments and Administration)

06-2017

**SB 351-FN**, declaring drowning as cruelty to animals. (Roberge, Dist 9; Barnes, Dist 17; Estabrook, Dist 21; Marshall Quandt, Rock 13; B. Richardson, Ches 5; N. Johnson, Straf 3; Villeneuve, Hills 18: Environment and Wildlife)

06-2029

**SB 352-FN**, relative to the regulation of real estate appraisers. (Gallus, Dist 1; Green, Dist 6; Larsen, Dist 15; Martel, Dist 18; Clegg, Dist 14; Fuller Clark, Dist 24; Dickinson, Carr 1; Theberge, Coos 4: Executive Departments and Administration)

06-2030

**SB 353-FN**, relative to registration of criminal offenders convicted of homicide. (Gallus, Dist 1; Roberge, Dist 9; Morneau, Coos 4; Buzzell, Coos 4; Gionet, Graf 3: Judiciary)

06-2031

**SB 354-FN**, requiring security officers of the New Hampshire hospital security force to be fully certified as police officers and including such security officers in group II of the New Hampshire retirement system. (Clegg, Dist 14; D'Allesandro, Dist 20; Letourneau, Dist 19; Tholl, Coos 2; Welch, Rock 8; Craig, Hills 9; Clemons, Hills 24: Executive Departments and Administration)

06-2129

**SB 355-FN**, relative to unlawful possession of alcohol by a minor. (Roberge, Dist 9; Flanders, Dist 7; Tholl, Coos 2; Harding, Graf 11; Villeneuve, Hills 18: Judiciary)

06-2224

**SB 356-FN**, relative to undue hardship knowingly caused by persons aiding in the transfer of assets. (Clegg, Dist 14; Morse, Dist 22; Gallus, Dist 1; D'Allesandro, Dist 20; Kurk, Hills 7; Newton, Straf 1; Major, Rock 8; D. Eaton, Ches 2: Judiciary)

06-2303

**SB 357-FN**, relative to eligibility for motorcycle licenses. (Letourneau, Dist 19; Clegg, Dist 14; Packard, Rock 3: Transportation and Interstate Cooperation)

06-2388

**SB 358-FN**, relative to an advanced registered nurse practitioner's duty to warn of violent acts of patients. (Martel, Dist 18; Letourneau, Dist 19; Gallus, Dist 1; Clegg, Dist 14; G. Katsakiores, Rock 5; P. Katsakiores, Rock 5: Health and Human Services)

06-2416

**SB 359-FN**, relative to the regulation of plumbers and water treatment technicians by the plumbers' board. (Larsen, Dist 15; D'Allesandro, Dist 20; Clegg, Dist 14; Hassan, Dist 23; DeJoie, Merr 11; Craig, Hills 9; Wallner, Merr 12: Public and Municipal Affairs)

06-2548

**SB 360-FN-A**, establishing a surcharge on real estate transfers for deposit in the family stability fund and re-naming the homeless prevention program the family stability program. (D'Allesandro, Dist 20; Foster, Dist 13; Hassan, Dist 23; Fuller Clark, Dist 24; DeVries, Hills 15: Public and Municipal Affairs)

06-2618

**SB 361-FN**, relative to the use of surplus funds by a school district. (Odell, Dist 8; Kidder, Merr 1: Education)

06-2629

**SB 362-FN**, relative to a tuition reduction for certain students taking courses at a regional community-technical college. (Gallus, Dist 1; D'Allesandro, Dist 20; Roberge, Dist 9; Remick, Coos 2; Merrick, Coos 2; Tholl, Coos 2: Education)

06-2630

**SB 363-FN-A-LOCAL**, requiring the department of revenue administration to cease collection of any Internet-related communications services tax and establishing a commission to study and determine the effect of ceasing the collection of Internet-related communications services tax. (Green, Dist 6: Ways and Means)

06-2637

**SB 364-FN-A**, relative to funding of the fish and game search and rescue fund and making an appropriation therefor. (D'Allesandro, Dist 20; Gallus, Dist 1; Johnson, Dist 2; Odell, Dist 8; Gottesman, Dist 12; Chandler, Carr 1: Finance)

06-2667

**SB 365-FN**, relative to the lottery commission. (Gallus, Dist 1; D'Allesandro, Dist 20; Green, Dist 6; Martel, Dist 18; Gionet, Graf 3; H. Richardson, Coos 2; Theberge, Coos 4: Executive Departments and Administration)

06-2670

**SB 366-FN**, relative to issues of conflicts of interest in the provision of long-term care services. (Martel, Dist 18; Roberge, Dist 9; Pilotte, Hills 16; Berube, Straf 2; Infantine, Hills 13: Health and Human Services)

06-2672

**SB 367-FN**, imposing a penalty on Medicaid providers who receive overpayments of state Medicaid funds. (Martel, Dist 18; Morse, Dist 22; Johnson, Dist 2; Clegg, Dist 14; Letourneau, Dist 19; Pilotte, Hills 16; G. Katsakiores, Rock 5; P. Katsakiores, Rock 5: Health and Human Services)



06-3025

**SB 368-FN**, relative to life settlements. (Flanders, Dist 7; Roberge, Dist 9; Headd, Rock 3; J. Martin, Carr 5; Kathleen Taylor, Straf 4: Banks and Insurance)

06-2740

**SB 369**, relative to portability, availability, and renewability of health coverage. (Hassan, Dist 23; Flanders, Dist 7; Gottesman, Dist 12; Green, Dist 6; Fuller Clark, Dist 24; McLeod, Graf 2; DeStefano, Merr 13: Banks and Insurance)

06-2752

**SB 370-FN**, relative to multidisciplinary child protection teams. (Gottesman, Dist 12; Foster, Dist 13; D'Allesandro, Dist 20; Clegg, Dist 14; Letourneau, Dist 19; Fuller Clark, Dist 24; Mooney, Hills 19; Knowles, Straf 6; Wall, Straf 7: Health and Human Services)

06-2768

**SB 371-FN**, relative to the continuation of certain wetlands fees. (Green, Dist 6; D'Allesandro, Dist 20; Gallus, Dist 1; Spang, Straf 7: Environment and Wildlife)

06-2811

**SB 372-FN**, allowing certain employees of private agencies to be treated as state employees for purposes of insurance. (Hassan, Dist 23; Estabrook, Dist 21; Burling, Dist 5: Banks and Insurance)

06-2814

**SB 373-FN-A**, relative to a public health response to arbovirus. (Hassan, Dist 23; Estabrook, Dist 21; Fuller Clark, Dist 24; MacKay, Merr 11: Environment and Wildlife)

06-2834

**SB 374-FN**, relative to the healthy kids corporation. (Green, Dist 6; Larsen, Dist 15; Odell, Dist 8; Martel, Dist 18; Barnes, Dist 17; Gallus, Dist 1; Fuller Clark, Dist 24; Hunt, Ches 7; Price, Hills 26; S. Francoeur, Rock 15: Finance)

06-2835

**SB 375-FN**, relative to the executive branch code of ethics and establishing an executive branch ethics committee. (Larsen, Dist 15; Fuller Clark, Dist 24: Internal Affairs)

06-2868

**SB 376-FN-A**, relative to revenues dedicated to the education trust fund. (D'Allesandro, Dist 20; Clegg, Dist 14; Eaton, Dist 10; Flanders, Dist 7; Gallus, Dist 1; Gottesman, Dist 12; Green, Dist 6; Hassan, Dist 23; Johnson, Dist 2; Kenney, Dist 3; Martel, Dist 18; Morse, Dist 22; Odell, Dist 8; King, Coos 1; Major, Rock 8: Ways and Means)

06-2907

**SB 377-FN**, relative to COBRA coverage for persons 55 years of age or older. (Fuller Clark, Dist 24; Estabrook, Dist 21; Larsen, Dist 15; Hassan, Dist 23; Hofemann, Straf 6; Marshall Quandt, Rock 13; C. Hamm, Merr 4: Banks and Insurance)

06-2908

**SB 378-FN**, relative to rates charged by health care providers. (Fuller Clark, Dist 24; Hassan, Dist 23; Marshall Quandt, Rock 13; Kathleen Taylor, Straf 4: Banks and Insurance)

06-2962

**SB 379-FN**, relative to harm or threats to public officials. (Foster, Dist 13; Clegg, Dist 14: Judiciary)

06-2837

**SB 380-FN-A**, establishing a research and development credit against the business profits tax. (Odell, Dist 8; Eaton, Dist 10; Stepanek, Hills 6: Finance)

06-2399

**SB 381-FN-A-LOCAL**, expanding business tax credits to enhance research and development. (Foster, Dist 13; Michon, Hills 25: Finance)

06-2965

**SB 382**, relative to the guardian ad litem board. (Foster, Dist 13: Judiciary)

06-2004

**SB 383**, limiting liability of community land trusts which own certain hazardous property. (Burling, Dist 5: Environment and Wildlife)



06-2852

**SB 384-FN-A-LOCAL**, establishing an exemption from the real estate transfer tax for certain transfers of family farm and forest land. (Johnson, Dist 2; Gallus, Dist 1; Burling, Dist 5: Finance)

06-2864

**SB 385-FN**, relative to the membership and administration of the board of trustees of the New Hampshire retirement system, and relative to supplemental allowances. (Green, Dist 6; R. Wheeler, Hills 7; O'Neil, Rock 15: Finance)

06-2767

**SB 386**, relative to large groundwater withdrawals. (Sen. Green, Dist 6; Sen. Burling, Dist 5; Sen. Barnes, Dist 17; Sen. Estabrook, Dist 21: Environment and Wildlife)

06-3028

**SB 387**, relative to energy efficiency loans and guarantees by the business finance authority. (Burling, Dist 5; Fuller Clark, Dist 24; Hassan, Dist 23: Finance)06-3027

06-3027

**SB 388**, relative to farm composting. (Odell, Dist 8; Babson, Carr 3: Environment and Wildlife)

06-3029

**SB 389**, establishing a committee to study energy efficiency programs funded by the system benefits charge. (Burling, Dist 5; Clegg, Dist 14; Green, Dist 6; Larsen, Dist 15: Internal Affairs)

06-3034

**SB 390**, relative to membership of the board of tax and land appeals. (Johnson, Dist 2; Gallus, Dist 1: Public and Municipal Affairs)

06-3026

**SB 391-FN**, relative to insurance third party administrators. (Flanders, Dist 7; D'Allesandro, Dist 20; McLeod, Graf 2: Banks and Insurance)

06-3035

**SB 392-FN-A**, relative to the payment of Medicare Part D phased down state contribution, known as "clawback." (Morse, Dist 22; Clegg, Dist 14; Larsen Dist 15; King, Coos 1; O'Neil, Rock 15; Craig, Hills 9: Finance)

06-2792

**SCR 6**, urging Congress to take legislative action regarding embryonic stem cell research. (Estabrook, Dist 21; Hassan, Dist 23; Burling, Dist 5; Larsen, Dist 15; Fuller Clark, Dist 24; Hammond, Graf 11; Pilliod, Belk 5; Sokol, Graf 9; Buxton, Rock 10; Wall, Straf 7: Health and Human Services)

06-2804

**SCR 7**, urging Congress to amend the No Child Left Behind Act. (Estabrook, Dist 21; Fuller Clark, Dist 24; Kurk, Hills 7; Dickinson, Carr 1; Snyder, Straf 2; Gile, Merr 10: Education)

06-2022

**SJR 4**, urging Congress to require the Department of Defense to reinstate the terminology of "POW" or "Prisoner of War" into the classification of military personnel. (Barnes, Dist 17; Johnson, Dist 2; Letourneau, Dist 19; Kenney, Dist 3; Emerson, Ches 7: Public and Municipal Affairs)

### HOUSE MESSAGE

The House of Representatives, meeting in session on January 4, 2006, concurs with the Senate in the passage of the following entitled Bill sent down from the Senate:

**SB 392-FN-A**, relative to the payment of Medicare Part D phased down state contribution, known a "clawback."

### REPORT OF COMMITTEE ON ENROLLED BILLS

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

**SB 392-FN-A**, relative to the payment of Medicare Part D phased down state contribution, known a "clawback."

Senator Clegg moved adoption.

**Adopted.**

**RESOLUTION**

Senator Clegg moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time.

**Adopted.**

**LATE SESSION****ANNOUNCEMENTS****RESOLUTION**

Senator Clegg moved that the Senate recess to the Call of the Chair for the sole purpose of introducing legislation, sending and receiving messages, referring bills to committee, and scheduling hearings, processing enrolled bill reports and amendments.

**Adopted.**

**In recess to the Call of the Chair.**