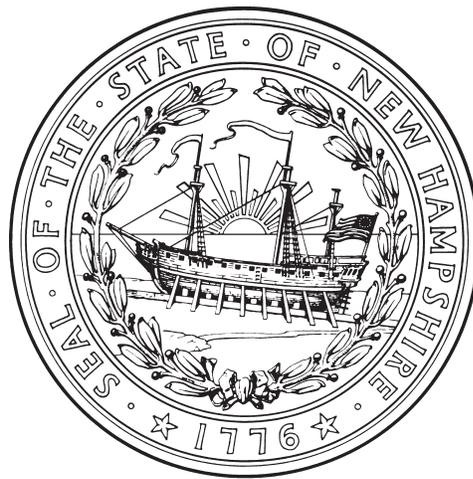


April 29, 2021
Nos. 12-13

STATE OF NEW HAMPSHIRE

Web Site Address: www.gencourt.state.nh.us



**First Year of the 167th Session of the
New Hampshire General Court**

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – APRIL 22, 2021 SESSION
COMMENCEMENT – APRIL 29, 2021 SESSION**

SENATE JOURNAL 12 *(continued)*

April 22, 2021

REPORT OF COMMITTEE ON ENROLLED BILLS

The committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bills:

HB 73, relative to public notice requirements for certain permits issued by the department of environmental services.

HB 117, relative to the use of force at New Hampshire national guard facilities.

HB 194, relative to the release of student assessment information and data.

HB 318, proclaiming the daring jumping spider to be the state spider of New Hampshire.

HB 344, relative to temporary docks.

HB 377, relative to the authority of the state fire marshal to grant an exemption from fire code requirements to recovery houses.

HB 609-FN-LOCAL, relative to innovation schools.

SB 21, relative to the Pease development authority board of directors.

SB 24, relative to the Brewster Academy charter.

Senator Avard moved adoption of the Report of Committee on Enrolled Bills. Adopted in recess.

REPORT OF COMMITTEE ON ENROLLED BILLS

The committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bills:

HB 134, repealing certain inactive dedicated funds.

HB 226, relative to the repeal of laws on produce safety.

HB 256, adding members from Londonderry to the commission to investigate and analyze the environmental and public health impacts relating to releases of perfluorinated chemicals into the air, soil, and groundwater in Merrimack, Bedford, and Litchfield.

HB 303, relative to required pay.

HB 324-FN, relative to the administration of certain state taxes by the department of revenue administration.

SB 20, relative to one year certificates of eligibility to teach.

Senator Avard moved adoption of the Report of Committee on Enrolled Bills. Adopted in recess.

Out of Recess. Call the Senate to Order.

MOTION TO ADJOURN FROM LATE SESSION

Senator Bradley moved that the Senate adjourn from the Late Session.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted. Adjournment from the Late Session.

SENATE JOURNAL 13

April 29, 2021

The Senate reconvened Remote Session in the House Chamber at 10:00 a.m., a quorum being present.

PRESIDENT MORSE: Welcome. I am Senate President Chuck Morse from District 22. Today, we will be holding a meeting of the Senate. Before we get started, I'll read through a checklist to ensure that the meeting that we are holding is in compliance with the Right-to-Know Law.

As President of the New Hampshire State Senate, I find that due to the state of emergency declared by the Governor as a result of the Covid-19 pandemic, and in accordance with the Governor's Emergency Order Number 12, pursuant to Executive Order 2020-04 and its extensions, this public body is authorized to meet electronically. Please note that there is no physical location to observe and listen contemporaneously to this meeting which was authorized pursuant to the Governor's Emergency Order.

In accordance with the Emergency Order, I am confirming that:

We are providing public access to the meeting with links provided on the General Court Website and in the Senate Calendar. We are utilizing Zoom for this electronic meeting. All members of the Senate have the ability to communicate contemporaneously in this meeting through this platform and the public has access to contemporaneously watch and or listen to the meeting with links provided on the General Court Website and in the Senate Calendar. Please note, that the only public access to session is through the livestream provided on the General Court Website and in the Senate Calendar. There is no access to the Zoom other than by way of the livestream, just as there would be no access to the Senate floor, other than by way of the Senate Gallery, or the livestream.

We have provided public notice of the necessary information for accessing the meeting in the Senate Calendar since Thursday, April 22, 2021.

We are providing a mechanism for the public to alert the public body during the meeting if there are problems with access. If anyone has a problem please email Help@leg.state.nh.us, or call 603-271-2180.

In the event that technical problems on our end make it impossible for Senators to participate or for members of the public to access the meeting, it will be adjourned and rescheduled.

Please note that all votes taken during this meeting shall be done by roll call vote and will be recorded in the Permanent Journal.

Finally, let's start the meeting by taking a roll call attendance. When each member states their presence please also state where they are and if anyone else is in the room with you during this meeting, and if any other such person is present, each member will identify such person, which is required under the Right-to-Know Law.

The Clerk will call the roll of the Senate for attendance.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted.

There were 24 members present.

The Reverend Father Bernard Disco, Chaplain to the Senate, offered the following prayer:

Thank you and good morning one and all.

Let us pray. Oh God, source and goal of all goodness and right action. We thank you for your many blessings. Look upon these, your servants, the State Senators of New Hampshire. In the work entrusted to them this day for the common good. Inspire a wise beginning according to your providence. Direct their progress according to your kindness and bring their work to completion that they may fulfill their duties with joy and glorify you. Amen.

Senator Rosenwald led the Pledge of Allegiance.

SPECIAL ORDER

Senator Bradley moved that the following Bills be special ordered to Thursday, May 6, 2021.

JUDICIARY

HB 296-FN, establishing the crime of unsolicited disclosure of an intimate image.

HB 615-FN, reducing the penalty for certain first offense drug possession charges.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted.

FN REPORT FOR APRIL 29, 2021

Senator Daniels recommends the waiver of referral to the Finance Committee, Senate Rule 4-5, for the following bills with a fiscal note or an appropriation of funds:

CONSENT CALENDAR:

HEALTH AND HUMAN SERVICES

HB 89-FN, adding qualifying medical conditions to the therapeutic use of cannabis law.

HB 163-FN, relative to cannabis use during pregnancy.

JUDICIARY

HB 178-FN, relative to the parole of prisoners and the procedures of the adult parole board.

HB 270-FN, relative to post-conviction DNA testing.

WAYS AND MEANS

HB 626-FN, relative to historic horse racing.

REGULAR CALENDAR:

JUDICIARY

HB 239-FN, relative to prosecutions for certain assaults against minors.

HB 296-FN, establishing the crime of unsolicited disclosure of an intimate image.

Senator Daniels recommends the following bills be ordered to the Finance Committee upon being found Ought to Pass/Ought to Pass with Amendment:

REGULAR CALENDAR:

JUDICIARY

HB 331-FN, relative to a forfeiture of personal property—if Inexpedient to Legislate recommendation is overturned.

HB 615-FN, reducing the penalty for certain first offense drug possession charges—if Inexpedient to Legislate recommendation is overturned.

Senator Daniels recommends the waiver of referral to the Finance Committee, Senate Rule 4-5, for the following bills which are still in their respective committee:

JUDICIARY

HB 233-FN, relative to the right of any infant born alive to medically appropriate and reasonable care and treatment.

HB 625-FN, relative to the protection of fetal life.

Senator Daniels moved to adopt today's FN Report.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted.

CONSENT CALENDAR REPORTS REMOVED

HEALTH AND HUMAN SERVICES

HB 89-FN, by Senator Daniels

CONSENT CALENDAR

Senator Bradley moved that the Consent Calendar, with the relevant amendments as printed in the day's Calendar be adopted and that all such bills found Ought to Pass be ordered to Third Reading.

COMMERCE

HB 299, relative to responsibilities of the insurance department.

Ought to Pass, Vote 5-0. Senator Soucy for the committee.

At the request of the New Hampshire Insurance Department, this bill would make numerous changes to property and casualty insurance statutes. First, RSA 264:18 would be amended to add paragraph labels to make the statute easier to read. Second, RSA 417-C:1 would be amended to allow property and casualty commercial lines to be canceled at the request of an insured. This would be consistent with the property and casualty personal lines statute. Third, RSA 402-H:1 would be amended to replace third party workers' compensation administrators with third party property and casualty administrators. Fourth, RSA 400-A:15-f would clarify that forms and rates filed for informational purposes shall remain confidential until they are effective. Fifth, RSA 412:15 would be amended to clarify that fees incurred by unanticipated costs can be recovered. Finally, the excess insurance exemption would be removed from RSA 417-B:1.

HB 312, relative to deadlines in consumer credit applications, licensing requirements for mortgage loan originators, examinations of family trust companies, delegation by credit union boards to committees, qualifications of the banking commissioner, and authorizing depository banks to elect benefit corporation status. Ought to Pass, Vote 5-0. Senator French for the committee.

At the request of the New Hampshire Banking Department, this bill would clarify and update certain statutes governing chartered and licensed institutions. Sections 1 through 5 and 13 would clarify and extend deadlines that are related to the examination of consumer credit licensees. Section 6 would clarify that mortgage loan originators don't have to be licensed in their home state, especially if they are not doing business in their home state. Section 7 would clarify that the Commissioner can conduct examinations on family trust companies more than every 36 months if deemed necessary. Sections 8 through 10 would clarify that it is permissible for a depository bank to operate as a benefit corporation. Section 11 would clarify that credit union boards can oversee and delegate authority to committees as well as require committees or subcommittees to keep minutes. Finally, Section 12 would allow the Commissioner and Deputy Commissioner to participate in certain loans, such as car or mortgage loans, without unnecessary restrictions.

HB 519, relative to technical changes in the laws administered by the insurance department.

Ought to Pass, Vote 5-0. Senator Gannon for the committee.

This bill was filed at the request of the New Hampshire Insurance Department, and it would make numerous technical changes. Section 1 would require the department retain records that are determined to be unnecessary for 3 years instead of for 6 years. Section 2 would clarify that notifications of declination made under RSA 400-B:4 are required to be retained by insurers. Section 3 would clarify that the Commissioner would need to decide holding company mergers within 30 days of the conclusion of the public hearing on the merger. Section 4 would extend the renewal deadline for holding company registrations from May 1st to early fall. Section 5 would change the rule adoption reference in the PBM statute from RSA 402-N:4 to paragraph I of RSA 402-N:5. Section 6 would clarify that a producer must be appointed before a life settlement is solicited or negotiated. Section 7 would change the phrase from "life annuity" in RSA 417:4, VIII(h) to "annuity contracts". Finally, Sections 8 through 11 would include references to catastrophic health plans, which were inadvertently left out of the statutes governing children's early intervention services.

HB 520, relative to e-delivery of insurance documents and commercial lines renewal notices. Ought to Pass, Vote 5-0. Senator Cavanaugh for the committee.

This bill was filed at the request of the New Hampshire Insurance Department. Currently, the delivery of insurance documents and renewal notices can only be made in-person or through the mail. Through the creation of a new statutory chapter, RSA 420-Q, an insured would be able to receive insurance documents and renewal notices electronically. Importantly, these documents and notices would only be allowed to be sent electronically as long as they are in compliance with the Uniform Electronic Transactions Act and as long as the insured consented to receiving them in that manner.

ENERGY AND NATURAL RESOURCES

HB 397, relative to permitting fees under the shoreland protection act. Ought to Pass with Amendment, Vote 5-0. Senator Perkins Kwoka for the committee.

This bill caps permitting fees for municipal, county, state, and federal projects at \$3,750 under the Shoreland Water Quality Protection Act in RSA 483-B. This bill will help municipal water systems and wastewater treatment plants move forward more quickly on important infrastructure projects and provide relief to municipal budgets and local taxpayers. The committee amendment caps the application fee for the Pease Development Authority at \$10,000 per state tidal pier and docking facility application. This cap is consistent with applications for tidal dredging projects and municipal dredging projects. The NH Department of Environmental Services registered its support for this amendment as tidal piers and docking facilities yield a significant public benefit for Seacoast residents and businesses.

Energy and Natural Resources
April 20, 2021
2021-1164s
08/04

Amendment to HB 397

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 New Subparagraph; Excavating and Dredging Permit; Application Fee. Amend RSA 482-A:3, X by inserting after subparagraph (c) the following new subparagraph:

(d) The maximum cash application fee for the Pease development authority, division of ports and harbors shall be \$10,000 per state tidal pier and docking facility application.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 72, relative to ratification of amendments to the state building code and state fire code. Re-refer to Committee, Vote 5-0. Senator Carson for the committee.

This bill ratifies certain amendments to the State Building Code and State Fire Code adopted by the Fire Marshal and State Building Code Review Board in 2015, 2016, 2019, 2020, and 2021. HB 72 and SB 15 are nearly identical. The sponsor and supporters of HB 72 have asked the Senate to rerefer HB 72 to the Committee and allow SB 15 to progress and be amended, leaving HB 72 as a back up vehicle in the event it is needed in the fall. Rereferring HB 72 would ensure that there is a legislative vehicle in place for any additional State Building Code or State Fire Code amendments that need to be ratified, depending on the legislative fate of SB 15.

HEALTH AND HUMAN SERVICES

HB 120, relative to administration of psychotropic medications to children in foster care. Ought to Pass with Amendment, Vote 5-0. Senator Sherman for the committee.

This bill requires the department of health and human services to provide medication monitoring for children in foster care and to ensure that the use of medication restraint conforms with the limitations of RSA 126-U. This bill protects children in foster care by requiring medication monitoring whenever a medication restraint is utilized. This bill, as amended, aligns the definition of medication restraint with the definition in RSA 126-U. Other changes to the bill include cleaning up language and organization. Additionally, as amended, this bill removes certain reporting requirements at the request of the department.

Health and Human Services
April 21, 2021
2021-1179s
05/06

Amendment to HB 120

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraphs; Delinquent Children; Definitions Added. Amend RSA 169-B:2 by inserting after paragraph XIII the following new paragraphs:

XIII-a. "Psychotropic medication" means a drug prescribed by a licensed medical practitioner, to treat illnesses that affect psychological functioning, perception, behavior, or mood.

XIII-b. "Medication restraint" means the involuntary administration of any medication, including psychotropic medication, for the purpose of immediate control of behavior.

2 Delinquent Children; Treatment Plan Involving the Use of Psychotropic Medication. Amend RSA 169-B:23 to read as follows:

169-B:23 Orders for [Physical] **Health** Examination and Treatment. If it is alleged in any petition, or it appears at any time during the progress of the case, that a delinquent is in need of [physical] **health** treatment, the failure to receive which is a contributing cause of delinquency, due notice of that fact shall be given as provided in RSA 169-B:7. If the court, upon hearing, finds that such treatment is reasonably required, it shall be ordered and the expense thereof shall be borne as provided in RSA 169-B:40.

3 New Paragraphs; Child Protection Act; Definitions Added. Amend RSA 169-C:3 by inserting after paragraph XXV-a the following new paragraphs:

XXV-b. "Psychotropic medication" means a drug prescribed by a licensed medical practitioner, to treat illnesses that affect psychological functioning, perception, behavior, or mood.

XXV-c. "Medication restraint" means the involuntary administration of any medication, including a psychotropic medication, for the purpose of immediate control of behavior.

4 New Paragraph; Duties of the Department of Health and Human Services Under the Child Protection Act; Oversight of Children in Foster Care Receiving Psychotropic Medication. Amend RSA 169-C:34 by inserting after paragraph VIII the following new paragraph:

IX. The use of medication restraint shall be limited as provided in RSA 126-U.

5 New Paragraphs; Children in Need of Services (CHINS); Definitions Added. Amend RSA 169-D:2 by inserting after paragraph XIII the following new paragraphs:

XIII-a. "Psychotropic medication" means a drug prescribed by a licensed medical practitioner, to treat illnesses that affect psychological functioning, perception, behavior, or mood.

XIII-b. "Medication restraint" means the involuntary administration of any medication, including a psychotropic medication, for the purpose of immediate control of behavior.

6 New Paragraph; Children in Need of Services; Oversight of Children in Foster Care Receiving Psychotropic Medication. Amend RSA 169-D:17 by inserting after paragraph VIII the following new paragraph:

IX. The department shall ensure that, when psychotropic medication is prescribed for children in foster care, appropriate medication monitoring is provided pursuant to current American Academy of Child and Adolescent Psychiatry (AACAP) Standards.

7 New Subparagraph; Residential Care and Child Placing Agency Licensing; Compliance with Rules Relative to the Use of Psychotropic Medication in Children. Amend RSA 170-E:34, I by inserting after subparagraph (h) the following new subparagraph:

(i) Compliance with RSA 126-U, regarding the use of physical and medication restraint.

8 New Paragraphs; Services for Children, Youth and Families; Definitions Added. Amend RSA 170-G:1 by inserting after paragraph VII the following new paragraphs:

VIII. "Psychotropic medication" means a drug prescribed by a licensed medical practitioner, to treat illnesses that affect psychological functioning, perception, behavior, or mood.

IX. "Medication restraint" means the involuntary administration of any medication, including a psychotropic medication, for the purpose of immediate control of behavior.

9 New Paragraph; Duties of the Department of Health and Human Services; Medication Monitoring for Children in Foster Care Receiving Psychotropic Medication. Amend RSA 170-G:4 by inserting after paragraph XXII the following new paragraph:

XXIII. Ensure that division for children, youth and families (DCYF) district office nurses provide medication monitoring for children in foster care receiving psychotropic medication pursuant to current American Academy of Child and Adolescent Psychiatry (AACAP) Standards, which shall include providing relevant health education and guidance to caregivers and DCYF field staff, and that any use of medication restraint conforms with the limitations in RSA 126-U.

10 New Subparagraph; Confidentiality of Department Case Records; Access by Licensed Medical Practitioner. Amend RSA 170-G:8-a, II(b) by inserting after subparagraph (5) the following new subparagraph:

(6) A licensed medical practitioner who is overseeing the use of psychotropic medication prescribed to the child.

11 New Paragraph; Foster Care Children's Bill of Rights. Amend RSA 170-G:21 by inserting after paragraph II the following new paragraph:

II-a. To receive appropriate medical supervision of any prescribed psychotropic medications.

12 New Section; Assessment for the Use of Psychotropic Medications. Amend RSA 170-G by inserting after section 4-g the following new section:

170-G:4-h Assessment for the Use of Psychotropic Medications. For children in out-of-home care with the department, prior to seeking a prescription or renewal for psychotropic medication, the department shall ensure the undertaking of, and guidance from, a recent comprehensive medical assessment to rule out an underlying physical cause and a comprehensive psychosocial assessment to address psychosocial issues. The prescribing of any medication shall include consultation with the child's caregiver or legal guardian and the division for children, youth and families (DCYF) district nurse. The use of medication restraint shall be limited as provided in RSA 126-U.

13 Effective Date.

I. Section 12 of this act shall take effect January 1, 2023.

II. The remainder of this act shall take effect January 1, 2022.

HB 157, relative to the state health improvement plan and the state health assessment and state health improvement plan advisory council.

Ought to Pass, Vote 5-0. Senator Sherman for the committee.

This bill revises the membership and duties of the state health assessment and state health improvement plan advisory council. This bill addresses gaps in the charge of the advisory council and expands its membership reflecting work on the bill by a task force comprised of all stake holders and representatives of the department of health and human services. The creation of a state health improvement plan is a national initiative, and the council will perform the requisite state health assessment as it develops New Hampshire's plan.

HB 163-FN, relative to cannabis use during pregnancy.

Ought to Pass, Vote 5-0. Senator Whitley for the committee.

This bill requires alternative treatment centers to prepare and post information regarding the risk of cannabis use during pregnancy. The bill also requires the commissioner of the department of health and human services to prepare a brochure relative to the risk of cannabis use during pregnancy and while breastfeeding. The use of cannabis has not been approved by the FDA; therefore, it is in the best interest of the state to provide guidance to the citizens of New Hampshire. The information provided will include risk factors of cannabis use during pregnancy, while breast feeding, as well as information about the risks of cannabis use in adolescence, and ways to prevent accidental poisoning through safe storage and disposal.

HB 378, repealing the therapeutic use of cannabis advisory council.

Ought to Pass, Vote 5-0. Senator Gray for the committee.

This bill repeals the therapeutic use of cannabis advisory council. This advisory council was created to help set up the therapeutic cannabis program. The advisory council was required to complete a report after five years and did so in 2018. They have not met since. The required functions are now provided by the therapeutic cannabis medical oversight board.

HB 582, relative to prescriptions for the treatment of attention deficit disorder, attention deficit disorder with hyperactivity, or narcolepsy.

Ought to Pass, Vote 5-0. Senator Whitley for the committee.

This bill allows for certain prescriptions for treatment of attention deficit disorder, attention deficit disorder with hyperactivity, or narcolepsy to be for 90 days. Currently there are insurance companies that do not allow for prescriptions of these medications to be prescribed for more than 30 or 60 days at a time. This bill provides patients with these conditions increased accessibility to their medications and saves doctors and patients time by not requiring patients to seek appointments every month to get their prescriptions renewed. Consequently, this bill creates more appointment availability, which is currently limited, among prescribers that treat these conditions. This bill also provides patients more cost-efficient access to their medications by not requiring patients to visit a doctor and pay a co-pay every month.

JUDICIARY

HB 178-FN, relative to the parole of prisoners and the procedures of the adult parole board.

Ought to Pass, Vote 5-0. Senator Kahn for the committee.

This bill was a request of the Adult Parole Board and it amends various provisions of the adult parole process including the definition of violent crime and recommittal of prisoners who violate parole. Enacting this bill will enhance efficiency, conform with the recommendations of the audit that was performed, and enhance public safety.

HB 270-FN, relative to post-conviction DNA testing.

Ought to Pass, Vote 5-0. Senator French for the committee.

This bill amends and clarifies the statute governing post-conviction DNA testing procedures including, in which court an individual would make the application, the implementation of a provision to assign an attorney to a qualifying individual, clarification of the process for testing, what labs will be used, how the results will be shared, and setting the judicial standard to a preponderance of the evidence for authorization of the testing. This bill gives someone who is wrongfully convicted a clear path to seek their freedom, while retaining existing safeguards to protect the state against frivolous claims.

HB 360, relative to the rental of shared living facilities.

Ought to Pass, Vote 5-0. Senator Gannon for the committee.

This bill clarifies the process for termination of a rental of a shared facility and the remedies for tenants. Landlord and tenant advocates came together to develop this language in order to remove confusion surrounding what laws govern rentals within shared facilities.

HB 540, relative to supported decision-making as an alternative to guardianship.

Re-refer to Committee, Vote 5-0. Senator Carson for the committee.

This bill establishes supported decision making as an alternative to guardianship. The language is the result of a collaborative effort to create a legally recognized alternative for people that only need support and advice when making important decisions and not the full removal of their decision-making as is done under guardianship. The Committee needs more time to review this language before moving forward and therefore, asks for support on the Re-Refer motion.

HB 630, authorizing certain procedures for rulemaking.

Ought to Pass, Vote 5-0. Senator Kahn for the committee.

This bill permits photocopied and scanned versions of signatures to be used in rulemaking proceedings. The Committee believes this is an appropriate step that will help streamline the process for state entities engaging in rulemaking.

TRANSPORTATION

HB 424, establishing a commission to study ways to reduce texting while driving.

Ought to Pass with Amendment, Vote 5-0. Senator Sherman for the committee.

This bill establishes a commission to study ways to reduce texting while driving. The commission includes members from the NH House of Representatives, the NH Senate, the telecommunications industry, the Department of Safety and the Department of Transportation. This bill, as amended, requires only one senator to be on the commission and simplifies the appointment process by specifically adding a member of the telecommunications association, or designee, to be appointed to the commission. The commission shall report its findings and recommendations by November 1, 2021.

Senate Transportation
 April 22, 2021
 2021-1180s
 11/04

Amendment to HB 424

Amend RSA 265:162, II as inserted by section 1 of the bill by replacing it with the following:

II. The members of the commission shall be as follows:

- (a) Three members of the house of representatives, appointed by the speaker of the house of representatives.
- (b) One member of the senate, appointed by the president of the senate.
- (c) The commissioner to the department of transportation, or designee.
- (d) The president of the Cellular Telecommunications and Internet Association, or designee.
- (e) The commissioner of the department of safety, or designee.
- (f) One member of the public, appointed by the speaker of the house of representatives.

WAYS AND MEANS

HB 626-FN, relative to historic horse racing.

Ought to Pass, Vote 5-0. Senator Giuda for the committee.

This bill defines and regulates pari-mutuel pools on historic horse racing. The bill is limited to existing licensed game operators, of which there are 15, for a period of three years. HB626 is virtually identical to SB112, which this body passed earlier this month. The sponsors of both bills have spoken, and their recommendation is that we move forward with HB626. This bill will have a positive impact on our charities and their ability to raise revenue to sustain themselves.

The question is on the adoption of the Consent Calendar.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted.

REGULAR CALENDAR

JUDICIARY

HB 83, prohibiting non-disparagement clauses in settlement agreements involving a governmental unit. Inexpedient to Legislate, Vote 4-1. Senator Carson for the committee.

The question is on the adoption of the motion of Inexpedient to Legislate.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted.

HB 239-FN, relative to prosecutions for certain assaults against minors. Inexpedient to Legislate, Vote 3-2. Senator Carson for the committee.

The question is on the adoption of the motion of Inexpedient to Legislate.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: (None)

The following Senators voted No: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

Roll Call, Yeas: 0 - Nays: 24. Failed.

Senator Carson moved Ought to Pass.

Senator Carson offered a Floor Amendment.

Sen. Carson, Dist 14

April 27, 2021

2021-1224s

04/10

Floor Amendment to HB 239-FN

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Criminal Code; Limitations. Amend RSA 625:8, I by inserting after subparagraph (f) the following new subparagraph:

(g) Notwithstanding subparagraphs (a) and (b), for any offense under RSA 631:1 or RSA 631:2, within 3 years of the victim's eighteenth birthday.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted, bill ordered to Third Reading.

HB 331-FN, relative to a forfeiture of personal property.

Inexpedient to Legislate, Vote 3-2. Senator Whitley for the committee.

The question is on the adoption of the motion of Inexpedient to Legislate.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, Ward, Kahn, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: French, Ricciardi, Daniels, Reagan.

Roll Call, Yeas: 20 - Nays: 4. Adopted.

HB 471, relative to police disciplinary hearings.

Ought to Pass with Amendment, Vote 5-0. Senator Carson for the committee.

Senate Judiciary
April 21, 2021
2021-1169s
08/11

Amendment to HB 471

Amend the title of the bill by replacing it with the following:

AN ACT relative to police disciplinary hearings and authorizing the department of justice to maintain an exculpatory evidence schedule.

Amend the bill by replacing all after section 1 with the following:

2 New Section; Exculpatory Evidence Schedule. Amend RSA 105 by inserting after section 13-c the following new section:

105:13-d Exculpatory Evidence Schedule.

I. The department of justice may voluntarily maintain an exculpatory evidence schedule. The exculpatory evidence schedule shall consist of a list of all current or former law enforcement officers whose personnel information contain potentially exculpatory evidence. Subject to the provisions of this section, the exculpatory evidence schedule may be maintained by the department of justice and shall be a public record subject to RSA 91-A.

II. For officers on the exculpatory evidence schedule as of the effective date of this section:

(a) The department of justice shall, upon the effective date of this section, provide written notice to all such persons. This notice shall notify the individual that he or she is currently on the exculpatory evidence schedule, that he or she has 180 days from the date of notification to file a lawsuit in superior court regarding the officer's placement on the exculpatory evidence schedule after which any cause of action the officer might have to challenge his or her placement on the exculpatory evidence schedule shall be extinguished; however, for officers added to the exculpatory evidence schedule from April 30, 2018 to the effective date of this section, this notice shall state that the officer has 90 days from the date of notification to file a lawsuit in superior court regarding the officer's placement on the exculpatory evidence schedule, after which any cause of action the officer might have to challenge his or her placement on the exculpatory evidence schedule shall be extinguished.

(b) A person on the exculpatory evidence schedule is presumed to have received the officer-specific notice referenced in subparagraph II(a), 3 business days after the department of justice sent it via first class mail to the officer's last known address.

(c) Any lawsuit by an officer regarding his or her placement on the exculpatory evidence schedule shall name as a party to the lawsuit the law enforcement agency that recommended the officer's placement on the exculpatory evidence schedule. Any such lawsuit shall also provide the department of justice with notice that any such action has been filed. The law enforcement officer shall provide notice of any court order and the disposition of any such action to the department of justice at each stage of the proceedings. The department of justice shall have the right to intervene in any such matter at any time. Any claim seeking an order finding that the underlying misconduct is not potentially exculpatory shall name the department of justice as a party.

(d) One hundred and eighty days from the date of notification for officers added to the exculpatory evidence schedule prior to April 30, 2018, and 90 days from the date of notification for officers added to the exculpatory evidence schedule between April 30, 2018 and the effective date of this section, individuals and corresponding information on the exculpatory evidence schedule shall be made public, except for any individual with a pending legal action regarding the officer's placement on the exculpatory evidence schedule. Once the pending action has concluded with a final order, after exhausting any applicable appellate rights, the individual's name and corresponding information will become public unless:

(1) In a matter in which the department of justice is a party, a court issues an order finding that the underlying misconduct is not potentially exculpatory; or

(2) A court issues an order finding that the law enforcement agency erred in recommending that the officer be placed on the exculpatory evidence schedule.

(e) If the court issues an order finding that an officer did not receive adequate due process and remands the matter back to the law enforcement agency for further due process proceedings, then the officer's name shall not be publicly disclosed until the due process ordered is finally exhausted. If the officer subsequently ceases to pursue or does not challenge the alleged conduct leading to placement on the exculpatory evidence

schedule through any applicable grievance process, then the officer's placement on the exculpatory evidence schedule shall become permanent and his or her name and corresponding information on the exculpatory evidence schedule shall become public. If the officer does challenge through any applicable grievance process the alleged conduct leading to placement on the exculpatory evidence schedule, then the officer's placement on the exculpatory evidence schedule shall become permanent and his or her name and corresponding information on the schedule shall become public only after the completion of the grievance process, and after the officer has exhausted all appellate rights, unless the grievance process determines that the alleged underlying potentially exculpatory misconduct was unfounded, not sustained, or that the officer was exonerated. In this section, the term "grievance process" means any process established by a collective bargaining agreement or by law that provides an employee an opportunity to contest an employment decision made by an employer.

III. For officers who are added to the exculpatory evidence schedule after the effective date of this section:

(a) Local law enforcement agencies shall send notice to the department of justice identifying the name and mailing address of any officer who they contend should be placed on the exculpatory evidence schedule, briefly describing why the officer should be placed on the schedule, describing how the officer was notified and afforded an opportunity to contest placement, and describing the grievance procedures available to that officer, including the timeline for filing a grievance.

(b) Upon receipt of notice by a law enforcement agency of an officer's placement on the exculpatory evidence schedule, the department of justice shall add the officer to the exculpatory evidence schedule and immediately provide written notice to the officer. The notice to the officer shall specify that the officer has been added to the exculpatory evidence schedule. The placement on the exculpatory evidence schedule shall be temporary and nonpublic unless and until the officer exhausts any grievance process. This temporary, nonpublic portion of the exculpatory evidence schedule shall not be a public record under RSA 91-A. If the officer ceases to pursue or does not challenge the alleged conduct leading to placement on the exculpatory evidence schedule through any applicable grievance process, then the officer's placement on the exculpatory evidence schedule shall become permanent and his or her name and corresponding information on the exculpatory evidence schedule shall become public. If the officer does challenge through any applicable grievance process the alleged conduct leading to placement on the exculpatory evidence schedule, then the officer's placement on the exculpatory evidence schedule shall become permanent and his or her name and corresponding information on the exculpatory evidence schedule shall become public only after the completion of the grievance process, and after the officer has exhausted all appellate rights, unless the grievance process determines that the alleged underlying potentially exculpatory misconduct was unfounded, not sustained, or that the officer was exonerated. The officer shall timely notify the department of justice of whether he or she is going through the grievance process concerning the conduct that led to placement on the exculpatory evidence schedule and the outcome of such proceedings.

IV. The department of justice shall at least monthly update the exculpatory evidence schedule within 30 days of this section's effective date on a publicly accessible website, with a notation indicating the date in which the exculpatory evidence schedule was updated.

V. Beginning on January 1, 2022, and quarterly thereafter, the department of justice, provided it continues to maintain the exculpatory evidence schedule, shall file a report with the governor, the president of the senate, the speaker of the house of representatives, and the chairpersons of the house and senate judiciary committees concerning compliance with this section. This report shall be made available to the public. This report shall include the total number of officers on the exculpatory evidence schedule, the number of officers who were sent notice under paragraphs II and III, the number of officers whose names have been disclosed to the public under each paragraph of this section, the number of officers who have filed lawsuits under this section, including the case name, number, jurisdiction, and corresponding field on the redacted exculpatory evidence schedule indicating the officer who has filed the lawsuit, and the number of people who are temporarily on the nonpublic exculpatory evidence schedule pending any grievance process. Nothing herein shall preclude the court from taking any necessary step to protect the anonymity of the officer before entry of a final order.

VI. Nothing in this section shall require the department of justice to maintain an exculpatory evidence schedule. Any obligations established under the provisions of this section shall apply only as long as the exculpatory evidence schedule exists. Nothing in this section shall relieve any prosecutor of their obligation to provide exculpatory evidence to criminal defendants.

3 Effective Date.

I. Section 2 of this act shall take effect 30 days after its passage.

II. The remainder of this act shall take effect upon its passage.

2021-1169s

AMENDED ANALYSIS

This bill requires police disciplinary hearings to be open to the public unless certain confidential information may be revealed and authorizes the department of justice to maintain an exculpatory evidence schedule.

The question is on the adoption of the Committee Amendment.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted, bill ordered to Third Reading.

HB 485, requiring law enforcement officers to inform a person of their right to refuse a consensual search. Ought to Pass with Amendment, Vote 5-0. Senator Kahn for the committee.

Senate Judiciary
April 21, 2021
2021-1173s
08/06

Amendment to HB 485

Amend RSA 595-A:10, II as inserted by section 1 of the bill by replacing it with the following:

II. This section shall not preclude searches incident to arrest, those searches allowed under the United States Constitution for officer safety, on any grounds, lands, or parking areas of any state correctional facility or transitional housing unit operated by the department of corrections, or inventory searches of lawfully-seized property, including but not limited to vehicles towed in conjunction to the arrest of the operator.

Senator Carson moved to Lay on the Table.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: (None)

The following Senators voted No: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

Roll Call, Yeas: 0 - Nays: 24. Failed.

The question is on the adoption of the Committee Amendment.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted.

Senator Carson moved to Lay on the Table.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted.

CONSENT CALENDAR REPORTS REMOVED

PRESIDENT MORSE: We are at the conclusion of the regular calendar and will take up the Bill that was removed from the consent calendar.

HEALTH AND HUMAN SERVICES

HB 89-FN, adding qualifying medical conditions to the therapeutic use of cannabis law.
Ought to Pass, Vote 5-0. Senator Avard for the committee.

The question is on the adoption of the motion of Ought to Pass.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: Hennessey, Bradley, Watters, Prentiss, Gray, French, Ricciardi, Kahn, Avard, Rosenwald, Whitley, Cavanaugh, Reagan, Soucy, D'Allesandro, Perkins Kwoka, Sherman.

The following Senators voted No: Giuda, Ward, Daniels, Carson, Birdsell, Gannon, Morse.

Roll Call, Yeas: 17 - Nays: 7. Adopted, bill ordered to Third Reading.

MOTION OF RECONSIDERATION

Senator Bradley, having voted on the prevailing side, moved to reconsider the following action taken by the body on HB 331-FN, relative to a forfeiture of personal property.: Inexpedient to Legislate.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: Daniels.

Roll Call, Yeas: 23 - Nays: 1. Adopted.

JUDICIARY

HB 331-FN, relative to a forfeiture of personal property.

The question is on the adoption of the motion of Inexpedient to Legislate.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, Ward, Ricciardi, Kahn, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: French, Daniels, Reagan.

Roll Call, Yeas: 21 - Nays: 3. Adopted.

MOTION TO ADJOURN FROM EARLY SESSION

Senator Bradley moved that the Senate adjourn from the Early Session, that the business of the Late Session be in order at the present time, that all bills and resolutions ordered to Third Reading be, by this resolution, read a third time, all titles be the same as adopted, and that they be passed at the present time.

The question is on the adoption of the motion to adjourn from the Early Session.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted. Adjournment from the Early Session.

LATE SESSION
ANNOUNCEMENTS

(The Chair recognized Senator Prentiss.)

SENATOR PRENTISS: Senate President, yes, thank you, under Unanimous Consent. And my colleagues, I appreciate the opportunity. Each year the Governor shall proclaim the first Saturday of May New Hampshire's Emergency Medical Services Provider Recognition Day. This Saturday, May 1st, we recognize the service given by the men and women who, night and day, in all conditions, without question, serve the people of the state as first responders, emergency medical technicians, advanced emergency medical technicians, and paramedics. This day we take the time to honor the emergency medical service providers who have lost their lives or have been disabled within the line of their duties. And we invite governments, communities, and people in the state to observe such a day. In addition to the 216,778 EMS responses in 2020 here in the Granite State, our EMS professionals volunteer a career, answer the call to lead within the Covid response. Stepping up into the public health arena and providing mobile testing services, as well as taking part in the Vaccinate New Hampshire effort. I have never been more proud to be an EMS professional, a paramedic, here in the Granite State. Today there are 5,600 licensed providers volunteer and career, over 295 ambulance and first responder services, as well as 575 licensed vehicles operating in the state. So please join me this Saturday, and recognize in your hometown, your city, your district, the members of the EMS community that work there for you and the quality of patient care that they provide the Granite Staters to our visitors here every day. We are so fortunate in New Hampshire. Thank you, Mister President.

Senator Bradley moved that, all personal privileges and unanimous consent shall be entered into the permanent *Journal of the Senate*. (Rule 2-16 and Rule 2-17).

The question is on the adoption of the motion that all personal privileges and unanimous consent shall be entered into the permanent *Journal of the Senate*.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted.

LATE SESSION
Third Reading and Final Passage

HB 89-FN, adding qualifying medical conditions to the therapeutic use of cannabis law.

HB 120, relative to administration of psychotropic medications to children in foster care.

HB 157, relative to the state health improvement plan and the state health assessment and state health improvement plan advisory council.

HB 163-FN, relative to cannabis use during pregnancy.

HB 178-FN, relative to the parole of prisoners and the procedures of the adult parole board.

HB 239-FN, relative to prosecutions for certain assaults against minors.

HB 270-FN, relative to post-conviction DNA testing.

HB 299, relative to responsibilities of the insurance department.

HB 312, relative to deadlines in consumer credit applications, licensing requirements for mortgage loan originators, examinations of family trust companies, delegation by credit union boards to committees, qualifications of the banking commissioner, and authorizing depository banks to elect benefit corporation status.

HB 360, relative to the rental of shared living facilities.

HB 378, repealing the therapeutic use of cannabis advisory council.

HB 397, relative to permitting fees under the shoreland protection act.

HB 424, establishing a commission to study ways to reduce texting while driving.

HB 471, relative to police disciplinary hearings and authorizing the department of justice to maintain an exculpatory evidence schedule.

HB 519, relative to technical changes in the laws administered by the insurance department.

HB 520, relative to e-delivery of insurance documents and commercial lines renewal notices.

HB 582, relative to prescriptions for the treatment of attention deficit disorder, attention deficit disorder with hyperactivity, or narcolepsy.

HB 626-FN, relative to historic horse racing.

HB 630, authorizing certain procedures for rulemaking.

MOTION TO RECESS TO CALL OF THE CHAIR

Senator Bradley moved that the business of the day being completed, that the Senate recess to the Call of the Chair for the purposes of introducing legislation, referring bills to committee, scheduling hearings, sending and receiving messages, vacating bills, and processing enrolled bill reports and amendments and when we recess, we recess to the Call of the Chair.

The question is on the adoption of the motion to recess to the Call of the Chair.

A roll call was requested by Senator Bradley, seconded by Senator Soucy.

The following Senators voted Yes: Hennessey, Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted. The Senate is in recess to the Call of the Chair.