

## House Journal

WEDNESDAY, JANUARY 6, 2016

### *Reports of Committees.*

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to motor vehicle license suspension (Senate, No. 2021) ought to pass with amendments striking sections 5, 6 and 7 and inserting in place thereof, the following section:

“SECTION 5. Sections 2 and 4 shall take effect July 1, 2016.”; and by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the prohibition of automatic license suspensions for non-vehicle-related drug offenses, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Nangle of Lowell, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Straus of Mattapoisett, the bill was read a second time forthwith. The amendments recommended by the committee on Ways and Means then were adopted; and the bill, as amended, was ordered to a third reading.

Subsequently under suspension of the rules, on further motion of the same member, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After remarks on the question on passing the bill, as amended, to be engrossed, in concurrence, Mr. Jones of North Reading and other members of the House moved to amend it by striking out sections 5 and 6 (as amended) and inserting in place thereof the following two sections:

“SECTION 5. Notwithstanding any general or special law to the contrary, the division of insurance shall conduct a study on the feasibility of reducing the amount of time unsafe drivers points remain on a drivers record. Said report, along with recommendations, shall be submitted to the clerks of the house and senate, the joint committee on transportation and the house and senate committee on ways and means by no later than July 1, 2016.

SECTION 6. Sections 2 and 4 shall take effect July 1, 2016.”.

The amendment was rejected

The same members then moved to amend the bill by inserting after section 4 the following section: “

SECTION 4A. Chapter 90 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting the following new section: —

22½. The registrar shall suspend, without hearing, the license or right to operate of a person who is convicted of a violation of paragraphs (b) (c) or (d) of section 32E of chapter ninety-four C or adjudged a delinquent child by reason of having violated paragraphs (b) (c) or (d) of section 32E of chapter ninety-four C; provided, however, that the period of such suspension shall not exceed five years; and provided further, however, that such person may after the completion of any time served apply for and shall be granted a hearing before the registrar for the purpose of requesting the issuance of a new license for employment or educational purposes or any other hardship purpose for the balance of any such license suspension. The registrar, at his or her discretion, may issue such license under such terms or conditions as he may prescribe.”.

The amendment was adopted.

Pending the question on passing the bill, as amended, to be engrossed, in concurrence, Mr. Rushing of Boston asked for a count to ascertain if a quorum was present. The Chair (Mr. Donato), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 151 members were recorded as being in attendance.

**[See Yea and Nay No. 182 in Supplement.]**

Therefore a quorum was present.

After remarks on the question on passing the bill, as amended, to be engrossed, in concurrence (the Speaker having taken the Chair), the sense of the House taken by yeas and nays, at the request of Mr. Carvalho of Boston; and on the roll call 150 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 183 in Supplement.]**

Therefore the bill (Senate, No. 2021, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendments adopted by the House.

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WEDNESDAY, JANUARY 27, 2016

*Papers from the Senate.*

The Senate Bill relative to motor vehicle license suspension (Senate, No. 2021, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendments (inserting after section 4 the following section:

“SECTION 4A. Chapter 90 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting the following new section:—

22½. The registrar shall suspend, without hearing, the license or right to operate of a person who is convicted of a violation of paragraphs (b) (c) or (d) of section 32E of chapter ninety-four C or adjudged a delinquent child by reason of having violated paragraphs (b) (c) or (d) of section 32E of chapter ninety-four C; provided, however, that the period of such suspension shall not exceed

five years; and provided further, however, that such person may after the completion of any time served apply for and shall be granted a hearing before the registrar for the purpose of requesting the issuance of a new license for employment or educational purposes or any other hardship purpose for the balance of any such license suspension. The registrar, at his or her discretion, may issue such license under such terms or conditions as he may prescribe.”; by striking out sections 5, 6 and 7 and inserting in place thereof, the following section:

“SECTION 5. Sections 2 and 4 shall take effect July 1, 2016.”; and by inserting before the enacting clause the following emergency preamble:

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the prohibition of automatic license suspensions for non-vehicle-related drug offenses, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience”)., with a further amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2094.

Under suspension of the rules, on motion of Mr. Straus of Mattapoisett, the amendments were considered forthwith.

The House then non-concurred with the Senate in its further amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Straus, Fernandes of Milford and Hill of Ipswich were appointed the committee on the part of the House. Sent to the Senate to be joined.

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THURSDAY, JANUARY 28, 2016

*Paper from the Senate.*

The Senate Bill relative to motor vehicle license suspension (Senate, No. 2021), came from the Senate with the endorsement that said branch had insisted on its further amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2094) (in which the House had non-concurred).

The bill bore the further endorsement that said branch had concurred with the House in the appointment of a committee of conference on the disagreeing votes of the two branches; and that Senators McGee, Chandler and Tarr had been joined as the committee on the part of the Senate.

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MONDAY, MARCH 21, 2016

*Reports of Committees.*

By Mr. Straus of Mattapoisett, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate further amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2094) of the Senate Bill relative to motor vehicle license suspension (Senate, No. 2021, amended), recommending that the House recede from its non-concurrence with the Senate in its further amendment and concur therein with a still further amendment (by striking out all after the

enacting clause and inserting in place thereof the text contained in House document numbered 4088); and that the Senate concur in the still further amendment. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Nangle of Lowell, for said committee, reported that the matter be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting, the question being on acceptance of the report of the committee of conference.

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WEDNESDAY, MARCH 23, 2016

*Motions to Discharge Certain Matters in the Orders of the Day.*

The report of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate further amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2094) of the Senate Bill relative to motor vehicle license suspension (Senate, No. 2021, amended) (for report, see House document numbered 4088), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Straus of Mattapoisett.

After remarks on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 157 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 208 in Supplement.]**

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

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THURSDAY, MARCH 24, 2016

*Emergency Measure.*

The engrossed Bill relative to motor vehicle license suspension (see Senate, No. 2021, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 3 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.