

Senate Journal

THURSDAY, SEPTEMBER 24, 2015

Ms. Spilka moved to amend the proposed new draft by inserting after section 2 the following section:-

“SECTION 3. Clause (36) of section 33 of chapter 90 of the General Laws, as so appearing, is hereby amended by striking out, in line 231, the words ‘, (e) and (f)’ and inserting in place thereof the following words:- ‘and (e)’.”

The amendment was adopted.

The Ways and Means amendment, as amended, was then adopted.

The bill (Senate, No. 1812, amended) was then ordered to a third reading and read a third time. The question on passing the bill to be engrossed was determined by a call of the yeas and nays at twenty minutes before three o'clock P.M., on motion of Ms. Chandler, as follows, to wit (yeas 38 — nays 0) **[Yeas and Nays No. 164]:**

YEAS. Barrett, Michael J.

Keenan, John F.

Brownsberger, William N.

Lesser, Eric P.

Chandler, Harriette L.

Lewis, Jason M.

Chang-Diaz, Sonia

L'Italien, Barbara A.

Creem, Cynthia Stone

Lovely, Joan B.

deMacedo, Viriato M.

McGee, Thomas M.

DiDomenico, Sal N.

Montigny, Mark C.

Donnelly, Kenneth J.

Moore, Michael O.

Donoghue, Eileen M.

O'Connor Ives, Kathleen

Downing, Benjamin B.

Pacheco, Marc R.

Eldridge, James B.

Petrucelli, Anthony

Fattman, Ryan C.

Rodrigues, Michael J.

Flanagan, Jennifer L.

Ross, Richard J.

Forry, Linda Dorcena

Rush, Michael F.

Gobi, Anne M.

Spilka, Karen E.

Hedlund, Robert L.

Tarr, Bruce E.

Humason, Donald F., Jr.

Timilty, James E.

Jehlen, Patricia D.

Welch, James T.

Joyce, Brian A.

Wolf, Daniel A. – **38.**

NAYS – 0.

The yeas and nays having been completed at seventeen minutes before three o'clock P.M., the bill was passed to be engrossed. [For text of Senate Bill printed as amended, see Senate, No. 2021].

Sent to the House for concurrence.

THURSDAY, JANUARY 14, 2016

PAPERS FROM THE HOUSE.

The Senate Bill relative to motor vehicle license suspension (Senate, No. 2021),-- came from the House passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and 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:-

22 ½ 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.”; striking sections 5, 6 and 7 and inserting in place thereof, the following sections:

“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 the 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, therefor it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The rules were suspended, on motion of Mr. Brownsberger, and the House amendment was considered forthwith. Ms. Chandler presented a motion that the Senate concur with the House amendment with a further amendment, by striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2094.

After remarks, on motion of Mr. Tarr, the question on concurring in the House amendment with a further amendment (Chandler) was determined by a standing vote; subsequently, by a vote of 2 to 1 the Senate concurred in the House amendment with the further amendment.

Sent to the House for concurrence in the further amendment.

THURSDAY, JANUARY 28, 2016

Ms. Spilka offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the House Bill to improve public records (House, No. 3858) (the committee on Ways and Means having recommended that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate, No. 2120) shall be placed in the Orders of the Day for a second reading on Thursday, February 4, 2016.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M., on Monday, February 1, 2016.

All such amendments shall be second-reading amendments to the Senate Ways and Means new text (Senate, No. 2120), but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

After the bill as amended is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading.

Under the rules, referred to the committee on Rules.

Subsequently, Mr. Montigny, for the said committee, reported, recommending that the order ought to be adopted.

The rules were suspended, on motion of Ms. Chandler, and the order was considered forthwith and adopted.

The bill will be placed in the Orders of the Day for Thursday, February 4, for a second reading with the amendment pending.

PAPER FROM THE HOUSE.

The Senate Bill relative to relative to motor vehicle license suspension (Senate, No. 2021, amended),— came from the House with the endorsement that the House had NON-concurred in the further Senate amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate, No. 2094 and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Straus of Mattapoisett, Fernandes of Milford and Hill of Ipswich have been appointed the committee on the part of the House.

On motion of Ms. Chandler, the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators McGee, Chandler and Tarr were appointed on the part of the Senate.

The bill was returned to the House endorsed accordingly.

THURSDAY, MARCH 24, 2016

PAPER FROM THE HOUSE

Committee of Conference Report.

A report of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate further amendment to the Senate Bill relative to motor vehicle license suspension (Senate, No. 2021, amended),-- reports recommending that the House recede from its

non-concurrence with the Senate in its further amendment (striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2094) and concur therein with a still further amendment by striking all after the enacting clause and inserting in place thereof the text of House document numbered 4088; and that the Senate concur in the still further amendment, -- **came from the House, and was read.**

The rules were suspended, on motion of Mr. Ross, the report was accepted, in concurrence.

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PAPER FROM THE HOUSE

Emergency Preamble Adopted.

An engrossed Bill relative to motor vehicle license suspension (see Senate, No. 2021, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- **was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 2 to 0.**

The bill was signed by the Acting President (Mr. Rodrigues) and sent to the House for enactment.

...

An engrossed Bill relative to motor vehicle license suspension (see Senate, No. 2021, amended) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage. After remarks, the question on passing it to be enacted was determined by a call of the yeas and nays, at eight minutes before three o'clock P.M., on motion of Ms. Chandler, as follows, to wit (yeas 38 - nays 0) [**Yeas and Nays No. 261**]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Brady, Michael D.

Lesser, Eric P.

Brownsberger, William N.

Lewis, Jason M.

Chandler, Harriette L.

L'Italien, Barbara A.

Chang-Diaz, Sonia

Lovely, Joan B.

Creem, Cynthia Stone
McGee, Thomas M.
deMacedo, Viriato M.
Montigny, Mark C.
DiDomenico, Sal N.
Moore, Michael O.
Donnelly, Kenneth J.
O'Connor Ives, Kathleen
Donoghue, Eileen M.
Rodrigues, Michael J.
Downing, Benjamin B.
Pacheco, Marc R.
Eldridge, James B.
Rosenberg, Stanley C.
Fattman, Ryan C.
Ross, Richard J.
Flanagan, Jennifer L.
Rush, Michael F.
Forry, Linda Dorcena
Spilka, Karen E.
Gobi, Anne M.
Tarr, Bruce E.
Humason, Donald F., Jr.
Timilty, James E.
Jehlen, Patricia D.
Welch, James T.
Joyce, Brian A.
Wolf, Daniel A. – **38.**

NAYS – 0.

The yeas and nays having been completed at five minutes before three o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.