

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, MAY 5, 2022

JOURNAL OF THE SENATE

Thursday, May 5, 2022.

Met at eleven minutes past eleven o'clock A.M. (Mr. Brownsberger in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

The Chair (Mr. Brownsberger), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Distinguished Guests.

There being no objection, the Chair (Mr. Brownsberger) handed the gavel to Mr. Timilty for the purpose of an introduction. Mr. Timilty then introduced, on the Rostrum, Peter J. Turner and Mike Sample from the Greater Boston Chapter of the American Society of Safety Professions. Peter is the current President of the Greater Boston Chapter of ASSP and has more than 20 years of environmental, safety, health and risk management expertise. As the Northeast Regional Safety Manager for Cox Communications, he has a strong focus on a systems safety approach to maturing safety culture. Mike is an occupational safety professional working as a Technical Director for Liberty Mutual Insurance, focused on the Transportation and Construction sectors. He is also the representative for the Greater Boston Chapter of ASSP with the Massachusetts State Legislature. The Senate welcomed them with applause, they were presented Senate Resolutions recognizing North American Occupational Safety and Health Week and Occupational Safety Professional Day, and they withdrew from the Chamber.

Peter J. Turner and Mike Sample.

Communications.

The following communications were severally received and placed on file, to wit:

Communication from the Department of Public Health relative to its plan of correction for the MASAC at Plymouth inspection on March 9, 2022 (received May 2, 2022); and

DPH,-- plan of correction. SD3139

Communication from the Bureau of Special Investigations in the Office of the State Auditor (pursuant to item 0710-0200 of Section 2 of Chapter 24 of the Acts of 2021) submitting its quarterly report detailing and summarizing its activity during the third quarter of fiscal year 2022 (received May 5, 2022).

BSI,-- FY22 Q3 report. SD3143

Reports.

The following reports were severally received and placed on file, to wit:

Report of the Department of Public Health (pursuant to Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspections of Bristol County Jail, Ash Street Facility, Hampshire County Jail and House of Correction and Western Massachusetts Recovery and Wellness Center (received May 2, 2022); and

DPH,-- facility inspections. SD3140

Report of the Office of the Comptroller (pursuant to Section 12(c) of Chapter 7A of the General Laws) submitting its Annual Comprehensive Financial Report (ACFR) for the fiscal year ended June 30, 2021 (received April 29, 2022).

CTR,-- FY21 ACFR. SD3141

Reports of a Committee.

By Mr. Crighton, for the committee on Transportation, on Senate, Nos. 2265, 2287, 2341 and 2351, an Order relative to authorizing the joint committee on Transportation to make an investigation and study of certain current Senate documents relative to miscellaneous transportation matters (Senate, No. 2861);

Transportation committee,-- study.

Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Timilty, for the committee on Public Safety and Homeland Security, on petition, a Resolve providing for an investigation and study by a special commission relative to the existential threat posed by nuclear weapons to the commonwealth of Massachusetts (Senate, No. 1555);

Nuclear weapons,-- special commission.

By the same Senator, for the same committee on petition, a Bill to enhance child passenger safety services (Senate, No. 1592);

Child passenger,-- safety.

By the same Senator, for the same committee on petition, a Bill building a more accessible Massachusetts (Senate, No. 1629); and

Architectural Access Board.

By Mr. Crighton, for the committee on Transportation, on petition, a Bill to provide cities and towns data on electric vehicles (Senate, No. 2254);

Electric vehicles,-- data.

Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

By Mr. Timilty, for the committee on Public Safety and Homeland Security, on petition, a Bill relative to novelty sparklers (Senate, No. 1615);

Novelty sparklers.

Read and, under Senate Rule 26, referred to the committee on Rules.

Committee Discharged.

Mr. Crighton, for the committee on Transportation, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 2378) of Bruce E. Tarr for legislation relative to the suspension of drivers licenses for habitual offenders,-- **and recommending that the same be referred to the committee on the Judiciary.**

Motor vehicle,-- safety.

Under Senate Rule 36, the report was considered forthwith and accepted.

Sent to the House for concurrence.

Orders.

Orders were severally presented and referred as follows:

By Mr. Timilty, an Order relative to granting the committee on Public Safety and Homeland Security until May 18, 2022 within which time to make its final report on current Senate documents numbered 1540, 1541, 1542, 1550, 1552, 1560, 1571, 1578, 1591, 1594, 1595, 1599, 1601, 1625, 1631, 1633, 1638, 1641, 2125, 2457 and 2619 relative to public safety and homeland security matters (Senate, No. 2865); and

Public Safety and Homeland Security,-- extension.

By the same Senator, an Order relative to granting the committee on Public Safety and Homeland Security until June 1, 2022 within which time to make its final report on current Senate documents numbered 1559, 1573, 1579, 1580 and 1609 relative to public safety and homeland security matters (Senate, No. 2866);

Id.

Severally referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently.

PAPERS FROM THE HOUSE.

Petitions were severally referred, in concurrence, as follows, to wit:

UNCORRECTED PROOF.

Petition (accompanied by bill, House, No. 4738) of Timothy R. Whelan, Julian Cyr and Sarah K. Peake (by vote of the town) for legislation to establish a charter for the town of Brewster;

Brewster,-- charter.

To the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 4739) of Danillo A. Sena (by vote of the town) that the town of Harvard be authorized to establish and enforce speed limits on certain public ways in said town;

Harvard,-- speed limits.

To the committee on Transportation.

A Bill making appropriations for the fiscal year 2023 for the maintenance of the departments, boards, commissions, institutions, and certain activities of the Commonwealth, for interest, sinking fund, and serial bond requirements, and for certain permanent improvements (House, No. 4701,-- on House, No. 2, in part),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

General appropriations.

A Bill providing for the disposition of certain land in the town of West Brookfield (House, No. 4519,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

West Brookfield,-- land disposition.

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:-

Resolutions (filed by Mr. Feeney) “congratulating Ed Hurley on his retirement after 28 years of distinguished service to the Hockomock Young Men’s Christian Association”;

Ed Hurley.

Resolutions (filed by Ms. Lovely) “commending the Blue Dot Project for recognizing May 2 to May 8, 2022, as Maternal Mental Health Awareness Week”; and

The Blue Dot Project.

Resolutions (filed by Ms. Spilka) “congratulating Doctor F. Javier Cevallos on his retirement as President of Framingham State University.”

Doctor F. Javier Cevallos.

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill amending the charter of the town of Hull to make it more gender neutral (see House, No. 4286, changed) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and signed by the Acting President (Mr. Brownsberger) and laid before the Governor for his approbation.**

Bill laid before the Governor.

Order Adopted.

Mr. Rodrigues offered the following order, to wit:

Ordered, That, pursuant to the provisions of Senate Rule 27A, all amendments to the general appropriations bill as reported by the Committee on Ways and Means shall be filed electronically in the Office of the Clerk of the Senate by 1:00 P.M., on Friday, May 13, 2022; and be it further ordered that, pursuant to the provisions of Senate Rule 38B, the general appropriations bill as reported by the Committee on Ways and Means shall be placed in the Orders of the Day for Tuesday, May 24, 2022, for its second reading, as the only item on the calendar.

General appropriation bill,-procedural order.

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

Report of a Committee.

By Mr. Brady, for the committee on Public Service, on petition (accompanied by bill, Senate, No. 2845), a Bill establishing a sick leave bank for Dr. Heidi Tarr Henson, an employee of the Executive Office of Labor and Workforce Development (Senate, No. 2863).

Dr. Heidi Tarr Henson,-- sick leave.

The bill was read. There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and ordered to a third reading.

Matters Taken Out of the Notice Section of the Calendar.

There being no objection, the following items were taken out of the Notice Section of the Calendar and considered as follows:

The Senate Bill authorizing the treasurer of the town of Middleborough to pay from available funds to Middleborough High School students, parents or guardians amounts paid but not reimbursed for the costs of the 2020 senior trip (Senate, No. 2518),-- **was read a third time and passed to be engrossed.**

Middleborough,-- treasurer reimbursement.

Sent to the House for concurrence.

The Senate Bill establishing a sick leave bank for Jennifer Almond, an employee of the department of correction (Senate, No. 2694) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed.**

Jennifer Almond,-- sick leave.

Sent to the House for concurrence.

The House Bill authorizing the town of Maynard to grant an additional license for the sale of all alcoholic beverages to be consumed off the premises (House, No. 387),-- **was read a third time and passed to be engrossed, in concurrence.**

Maynard,-- liquor license.

Orders of the Day.

The Orders of the Day were considered, as follows:

Bills

Second reading bills.

Authorizing the town of Brookline to establish a means-tested senior citizen property tax exemption (Senate, No. 2803); and

Relative to certain affordable housing in the Jamaica Plain section of the city of Boston (House, No. 4205, amended);

Were severally read a second time and ordered to a third reading.

There being no objection, during consideration of the Ordrs of the Day, the following matter was considered, as follows:

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill changing the name of the board of selectmen of the town of Ware to select board (see House, No. 2205) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and signed by the Acting President (Mr. Brownsberger) and laid before the Governor for his approbation.**

Bill laid before the Governor.

Recess.

There being no objection, at seventeen minutes before twelve o'clock noon, the Chair (Mr. Brownsberger) declared a recess, subject to the call of the Chair; and at eleven minutes past two o'clock P.M., the Senate reassembled, Mr. Brownsberger in the Chair.

Recess.

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill relative to work and family mobility (House, No. 4470),-- was read a second time.

Driver's licenses.

After remarks, pending the question on adoption of the amendment previously recommended by the committee on Rules (striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2851) and pending the question on ordering the bill to a third reading, Messrs. Tarr and Moore moved that the proposed new text be amended by inserting after section _ the following section:-

2

“SECTION_ . Notwithstanding any general or special act to the contrary any license issued pursuant to this act shall have a background color and other features which shall distinguish said license from all other licenses issued by the registrar.”

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at three minutes before three o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 8 – nays 31) [Yeas and Nays No. 161]:

YEAS.

Fattman, Ryan C.
Gobi, Anne M.
Moore, Michael O.
O'Connor, Patrick M.

Pacheco, Marc R.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C. – **8.**

NAYS.

Barrett, Michael J.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
DiZoglio, Diana
Edwards, Lydia
Eldridge, James B.
Feeney, Paul R.

Finegold, Barry R.
Friedman, Cindy F.
Gomez, Adam
Hinds, Adam G.
Jehlen, Patricia D.
Keenan, John F.
Kennedy, Edward J.
Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Montigny, Mark C.
Moran, Susan L.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F. – **31.**

The yeas and nays having been completed at four minutes past three o'clock P.M., the amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after section _ the following section:-

3

“SECTION_ . Notwithstanding any general or special law to the contrary any license issued pursuant to this act shall bear the words ‘Not valid for identification’, prominently

written and in bold text.”

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at seven minutes past three o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 7 – nays 32) [**Yeas and Nays No. 162**]:

YEAS.

Fattman, Ryan C.	Tarr, Bruce E.
Gobi, Anne M.	Timilty, Walter F.
O'Connor, Patrick M.	Velis, John C. – 7.
Pacheco, Marc R.	

NAYS.

Barrett, Michael J.	Finegold, Barry R.
Brady, Michael D.	Friedman, Cindy F.
Brownsberger, William N.	Gomez, Adam
Chandler, Harriette L.	Hinds, Adam G.
Chang-Diaz, Sonia	Jehlen, Patricia D.
Collins, Nick	Keenan, John F.
Comerford, Joanne M.	Kennedy, Edward J.
Creem, Cynthia Stone	Lesser, Eric P.
Crighton, Brendan P.	Lewis, Jason M.
Cronin, John J.	Lovely, Joan B.
Cyr, Julian	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
DiZoglio, Diana	Moran, Susan L.
Edwards, Lydia	Rausch, Rebecca L.
Eldridge, James B.	Rodrigues, Michael J.
Feeney, Paul R.	Rush, Michael F. – 32.

The yeas and nays having been completed at thirteen minutes past three o'clock P.M., the amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after section _ the following section:- 4

“SECTION_. Notwithstanding any general or special law to the contrary any license issued pursuant to this act shall bear the words, ‘Not eligible to vote’, prominently written and in bold text.”

The amendment was *rejected*.

Messrs. Tarr and Moore moved that the proposed new text be amended by striking in line 27 the number “2” and inserting in place thereof “3”; and 5

By striking in line 32 the following “One document submitted as proof of an applicant’s identity pursuant to this paragraph shall include a photograph” and inserting in place thereof the following:- “Two documents submitted as proof of an applicant's identity pursuant to this paragraph shall include a photograph.”

After remarks, the amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by striking in line 38 the word, “may” and inserting in place thereof the following:- “shall”; and 6

By inserting in line 42 after the word, “birth” the following:- “provided, that the registrar shall file a report annually, of documents reviewed, by type, and the results of such review, provided further, that such report shall be filed with the clerks of the House and Senate, and posted electronically.”

The amendment was *rejected*.

Messrs. Fattman, Moore, Montigny and Tarr moved that the proposed new text be 7

amended in section 7, in line 73, by adding the following sentence:- “Said regulations shall, at a minimum, require the registrar of motor vehicles to provide information on the holder of a Massachusetts license to any city or town clerk seeking to verify the identity and eligibility of any individual using a Massachusetts license to vote or to register to vote.”

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-two minutes past three o'clock P.M., on motion of Mr. Fattman, as follows, to wit (yeas 10 – nays 29) [Yeas and Nays No. 163]:

YEAS.

- | | |
|-------------------|----------------------|
| Collins, Nick | O'Connor, Patrick M. |
| Fattman, Ryan C. | Pacheco, Marc R. |
| Gobi, Anne M. | Tarr, Bruce E. |
| Montigny, Mark C. | Timilty, Walter F. |
| Moore, Michael O. | Velis, John C. – 10. |

NAYS.

- | | |
|--------------------------|------------------------|
| Barrett, Michael J. | Finegold, Barry R. |
| Brady, Michael D. | Friedman, Cindy F. |
| Brownsberger, William N. | Gomez, Adam |
| Chandler, Harriette L. | Hinds, Adam G. |
| Chang-Diaz, Sonia | Jehlen, Patricia D. |
| Comerford, Joanne M. | Keenan, John F. |
| Creem, Cynthia Stone | Kennedy, Edward J. |
| Crighton, Brendan P. | Lesser, Eric P. |
| Cronin, John J. | Lewis, Jason M. |
| Cyr, Julian | Lovely, Joan B. |
| DiDomenico, Sal N. | Moran, Susan L. |
| DiZoglio, Diana | Rausch, Rebecca L. |
| Edwards, Lydia | Rodrigues, Michael J. |
| Eldridge, James B. | Rush, Michael F. – 29. |
| Feeney, Paul R. | |

The yeas and nays having been completed at twenty-seven minutes past three o'clock P.M., the amendment was *rejected*.

Messrs. Tarr, Moore, Collins and Montigny moved that the proposed new text be amended in line 69 after the word, “general” the following:- “; provided that said regulations shall, at a minimum, require the registrar of motor vehicles to provide information on the holder of a Massachusetts license to any city or town clerk seeking to verify the identity and eligibility of any individual using a Massachusetts license to vote or to register to vote.”

8

The amendment was laid aside as duplicative.

Mr. Pacheco moved that the proposed new text be amended by adding after section __ the following section __.-

9

“SECTION __. Chapter 29 of the General Laws is hereby amended in Section 29F(c), in the first line by removing the word ‘may’ after the word 'Debarment' and replacing it with the word ‘shall’ and by removing the following words: ‘but, debarment shall be imposed in all causes where debarment is required by law’.”

Ms. Lovely arose to raise a point of order which, being stated, was that the amendment before the Senate was beyond the scope of the bill.

Point of Order.

The Chair (Mr. Brownsberger) ruled that the amendment was out of order. Therefore, the point of order was well taken, and the amendment was laid aside.

Ruling,-- WELL taken.

Messrs. Tarr and Moore moved that the proposed new text be amended by inserting in line 69 after the word, “general” the following:- “Said regulations shall, at a minimum, require the registrar of motor vehicles to provide information on the holder of a Massachusetts license in response to a request from any Commonwealth agency pursuant to any civil or criminal investigation, or any other valid request from a Massachusetts law enforcement agency.”

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at a quarter before four o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 9 – nays 30) **[Yeas and Nays No. 164]:**

YEAS.

Fattman, Ryan C.
Gobi, Anne M.
Keenan, John F.
Moore, Michael O.
O'Connor, Patrick M.

Pacheco, Marc R.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C. – **9.**

NAYS.

Barrett, Michael J.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
DiZoglio, Diana
Edwards, Lydia
Eldridge, James B.

Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gomez, Adam
Hinds, Adam G.
Jehlen, Patricia D.
Kennedy, Edward J.
Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Montigny, Mark C.
Moran, Susan L.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F. – **30.**

The yeas and nays having been completed at nine minutes before four o'clock P.M., the amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after section _ the following sections:-

“SECTION _ . Section 12 of said chapter 90, as so appearing, is hereby amended by inserting after paragraph (d) the following:-

(e) Whoever, being the owner or person in control of a motor vehicle, knowingly permits such motor vehicle to be operated by an individual who is not in the country under the color of law and who is unlicensed or whose license has been suspended or revoked shall be punished by a fine of not more than \$1,000 or by imprisonment in a house of correction for not more than one year for a first offense, and by a fine of not less than \$2,000 and not more than \$3,000 or imprisonment in a house of correction for not more than 2 1/2 years, or both such fine and imprisonment, for a second or subsequent offense.

SECTION _ . Section 20 of said chapter 90, as so appearing, is hereby amended by inserting at the end thereof the following:-

Any individual who is not in the country under the color of law and who is convicted of operating a motor vehicle without having been issued a license by the registrar shall be punished by a fine of not more than \$1,000 for a first offense, by a fine of not less than

\$1,000 nor more than \$2,000 for a second offense, and by a fine of not less than \$2,000 nor more than \$4,000 for any subsequent offense.

SECTION _ . Section 34J of said chapter 90, as so appearing, is hereby amended by inserting after the the first sentence, in line 10, the following:-

Any individual found to be operating a motor vehicle without liability policy who is not in the country under the color of law shall be punished by a fine of not less than \$1,000 nor more than \$10,0000 or by imprisonment for not more than one year in a house of correction, or both such fine and imprisonment; provided, however, that any municipality that enforces the provisions of this section shall retain such fine.”

After remarks, the amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by striking out all after the enacting clause and inserting in place thereof the following:-

13

“SECTION 1. The nineteenth paragraph of section 8 of chapter 90 of the General Laws, as most recently amended by section 1 of chapter 172 of the acts of 2016, is hereby further amended by inserting after the word 'states', the second time it appears, the following words:- ; provided, however, that such person may be issued a driver privilege card pursuant to section 8N.

SECTION 2. Said chapter 90 of the General Laws is hereby amended by inserting after section 8M the following section:-

Section 8N. (a) For the purposes of this chapter, a 'driver privilege card' shall be defined as a permit obtainable by non-citizen, undocumented residents of the commonwealth that authorizes the owner of the card to legally operate a motor vehicle on the roadways of the commonwealth, subject to the restrictions of this section.

(b) A driver privilege card shall:

(i) not be used for the purpose of government identification;

(ii) be clearly marked with the words 'For driving privileges only-not valid for identification' in a design prescribed by the registrar of motor vehicles, hereinafter the registrar; and

(iii) have a different background color than the Massachusetts operator’s license.

The registrar may impose any and all security measures necessary for the purpose of preventing any alteration of the card.

(c) Any non-citizen, undocumented resident of the commonwealth may apply to the registrar to obtain a driver privilege card; provided, however, that: (i) no person who has previously held a driver privilege card and whose card is not in force because of revocation or suspension, or whose right to operate is suspended by the registrar, (ii) no person under 18 years of age, and (iii) no person who has been convicted of a felony in the United States shall be issued a driver privilege card.

(d) The registrar shall promulgate regulations establishing requirements for qualification examinations, including driving examinations, for persons applying for a driver privilege card. Applicants for a driver privilege card shall complete and pass any qualification examinations as prescribed by the registrar prior to issuance of the card. The registrar may deny any applicant a driver privilege card; provided, however, that a denial is not made based on the age of the applicant, except if an applicant is less than 18 years of age. The registrar may issue a driver privilege card upon the satisfactory completion of the requirements established pursuant to this section and the regulations promulgated by the registrar.

(e) Applications shall be made upon a form furnished by the registrar. The applicant shall pay a fee for application for an appointment for examination pursuant to paragraph (23a) of section 33 at the time of examination. The registrar may authorize an applicant to take an examination without payment of an additional fee when the applicant is unable to take the examination at the time originally scheduled. Applicants shall not take more than

6 driving examinations within a 12 month period.

(f) The applicant shall be required to complete a driver education and training course. The driver education and training course shall consist of: (i) not less than 30 hours of classroom instruction, (ii) not less than 18 hours of on-road instruction conducted by a certified driver education instructor in a motor vehicle, and (iii) a module on the science related to addiction and addictive substances which shall also include the impact of psychoactive substances on the brain and the effect of such substances on a person while operating a motor vehicle. To meet the supervised driving requirements, a student shall complete at least 6 hours of observing another student driver and at least 12 hours of operating a motor vehicle. No student shall have more than 1 on-road session per day and no session shall be for more than 2 hours in length. The registrar shall promulgate rules and regulations to establish and provide the driver education and training courses and to enforce compliance with the supervised driver requirements.

(g) An applicant shall submit the following documents to the registrar at the time of application:

(i) proof that the applicant has completed: (A) a driver education and training course, including a module on the science related to addiction and addictive substances which shall also include the impact of psychoactive substances on the brain and the effect of such substances on a person while operating a motor vehicle, and (B) the required hours of supervised driving, presented in such form as the registrar may require;

(ii) proof that all federal and state taxes have been paid;

(iii) proof of name, date, and place of birth via a valid foreign passport, valid consular identification document, or a certified birth, marriage, adoption, or divorce certificate; proof of Massachusetts residency for a minimum of 2 years via a home utility bill, college or university document, selective service card, car title, bank issued documents, individual tax identification number, school transcript, or other satisfactory evidence as the registrar may require, provided that at least 2 of these documents contain a photo of the applicant and at least 1 of the documents contain the applicant's date of birth.

(iv) proof that the individual has paid taxes in the Commonwealth of Massachusetts for at least two years prior to the point of application, and or was able to take a Massachusetts tax deduction, and or was validly claimed as a dependent by someone else in the Commonwealth of Massachusetts.

If the registrar has reasonable cause to suspect that any document presented by an applicant as proof of identity or age has been altered, falsified, or otherwise invalidated, the registrar shall refuse to grant the driver privilege card until the applicant provides the registrar with proof, satisfactory to the registrar, of their identity.

(h) As long as a person remains a non-citizen, undocumented resident of the commonwealth and is in possession of a driver privilege card, their minimum motor vehicle insurance coverage to maintain the validity of their driver privilege card shall be as follows:

(i) Bodily injury to others – \$200,000 per person and \$400,000 per accident;

(ii) Personal injury protection – \$80,000 per person and per accident;

(iii) Bodily injury caused by uninsured auto – \$200,000 per person and \$400,000 per accident;

(iv) Damage to someone else's property – \$50,000 per accident.

(i) A driver privilege card shall not authorize the owner of said card to vote in any local, state, or federal election. The registrar, in conjunction with the secretary of the commonwealth, shall develop safeguards to prevent the accidental registration of non-eligible individuals. Any person who violates this subsection and attempts to register to vote or votes in any local, state or federal election shall become permanently ineligible to hold a driver privilege card and subject to prosecution for illegal registration and illegal

voting pursuant to chapter 56.

(I) A driver privilege card shall be valid only for the following twenty-four calendar months from the date of issuance. A Driver privilege card can be renewed within 30 calendar days of its scheduled expiration date.

SECTION 2. Section 33 of said chapter 90, as appearing in the 2014 Official Edition, is hereby amended by inserting after subsection (21) the following subsection:-

(21a) For each driver privilege card or for the renewal thereof; provided, that said fee shall be collected upon the initial issuance of a card, and shall be collected at least once every year upon the renewal date of said card from every issuer.

SECTION 3. Said section 33 of said chapter 90, as so appearing, is hereby amended by inserting after paragraph 23 the following paragraph:-

(23a) For each application for an appointment for an examination for a driver privilege card. The registrar, for reasons they deem sufficient, may authorize an applicant to be examined without payment of an additional fee when the applicant has been unable to take the examination at the time originally scheduled.

SECTION 4. The registrar of motor vehicles may promulgate rules and regulations as necessary to carry out the provisions of this act.

SECTION 5. Notwithstanding any general or special law to the contrary any license issued pursuant to this act shall be exempt from chapter 205 of the acts of 2018 and chapter 51 of the Massachusetts general laws.”

After remarks, the amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting at the end of line 36 the following:- “Additionally, an applicant for a license under this section shall provide as proof of residence two years of tax returns filed in the commonwealth showing that the applicant has reported income and deductions from Massachusetts sources or been claimed as a dependent, on an individual income tax returned filed with the commonwealth or such filings are confirmed by the department of revenue.” 17

After remarks, the amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended be amended in line 57 after the word “general” by adding the following:- “provided, however, that such information, to the extent necessary to prevent the applicant from being registered to vote, shall be disclosed to the state secretary”. 18

The amendment was *rejected*.

Messrs. Tarr, Moore and Montigny moved that the proposed new text be amended in line 80 by striking the word “may” and inserting in place thereof:-”shall”; and 20

By inserting in line 85 after the word “law” the following:- “provided that said procedures and regulations shall be filed with the clerks of the House and Senate not later than 60 days before implementation, and provided that no licenses authorized under this act shall be issued unless and until said procedures and regulations are implemented”.

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after the word “law” in line 85 the following- “which regulations shall provide for the sharing of information provided by or relating to an applicant insofar as necessary to prevent such automatic registration”. 21

After remarks, the amendment was *rejected*.

Messrs. Velis, Moore, Collins and Montigny moved that the proposed new text be amended by inserting after the word “birth”, in line 42, the following sentences:- “The registrar shall provide annual training on fraudulent documents to all registrar employees who review, evaluate and assess applications for licenses and learner’s permits in the Commonwealth. The training program and its materials shall be created in consultation with the state police fraud unit.” 22

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after section _ the following section:- 23

“SECTION_ . No person who fails to show proof of lawful residence shall be issued a permit or license pursuant to this section unless such person provides proof of automobile driver’ s insurance in the minimum amounts of \$250,000 per person / \$500,000 in the aggregate for personal injury, and \$100,000 in property damage coverage.”

The amendment was *rejected*.

Messrs. Velis, Moore and Collins moved that the proposed new text be amended in section 5 by adding at the end thereof the following language:- “The burden of proof shall fall on the applicant to provide the registrar of motor vehicles with sufficient evidence to establish eligibility for such license.”. 24

The amendment was *rejected*.

Messrs. Tarr and Moore moved that the proposed new text be amended by inserting at the end of line 45 the following:- “and that they will not use any license or permit issued pursuant to this section for the purpose of voting or registering to vote or for identification”. 25

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at four o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 7 – nays 31) [Yeas and Nays No. 165]:

YEAS.

- | | |
|----------------------|-------------------------|
| Fattman, Ryan C. | Pacheco, Marc R. |
| Gobi, Anne M. | Tarr, Bruce E. |
| Moore, Michael O. | Timilty, Walter F. – 7. |
| O'Connor, Patrick M. | |

NAYS.

- | | |
|--------------------------|-----------------------|
| Barrett, Michael J. | Friedman, Cindy F. |
| Brady, Michael D. | Gomez, Adam |
| Brownsberger, William N. | Hinds, Adam G. |
| Chandler, Harriette L. | Jehlen, Patricia D. |
| Chang-Diaz, Sonia | Keenan, John F. |
| Collins, Nick | Kennedy, Edward J. |
| Comerford, Joanne M. | Lesser, Eric P. |
| Creem, Cynthia Stone | Lewis, Jason M. |
| Crighton, Brendan P. | Lovely, Joan B. |
| Cronin, John J. | Montigny, Mark C. |
| Cyr, Julian | Moran, Susan L. |
| DiDomenico, Sal N. | Rausch, Rebecca L. |
| Edwards, Lydia | Rodrigues, Michael J. |
| Eldridge, James B. | Rush, Michael F. |
| Feeney, Paul R. | Velis, John C. – 31. |
| Finegold, Barry R. | |

ABSENT OR NOT VOTING.

- DiZoglio, Diana – 1.

The yeas and nays having been completed at fourteen minutes past four o'clock P.M., the amendment was *rejected*.

Messrs. Crighton and Gomez moved that the proposed new text be amended in section 1, by inserting after the word “section”, in line 9, the following words:- “or a learner’s permit pursuant to Section 8B”; and 11

UNCORRECTED PROOF.

In section 7, by inserting after the word “as”, in lines 56 and 68, the following words:-
“required by federal law or as”.

After remarks, the amendment was adopted.

The Rules amendment, as amended, was then adopted.

The bill, as 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-seven minutes past four o'clock P.M., on motion of Mr. Crighton, as follows, to wit (yeas 32 – nays 8) [**Yeas and Nays No. 166**]:

YEAS.

Barrett, Michael J.	Friedman, Cindy F.
Brady, Michael D.	Gomez, Adam
Brownsberger, William N.	Hinds, Adam G.
Chandler, Harriette L.	Jehlen, Patricia D.
Chang-Diaz, Sonia	Keenan, John F.
Comerford, Joanne M.	Kennedy, Edward J.
Creem, Cynthia Stone	Lesser, Eric P.
Crighton, Brendan P.	Lewis, Jason M.
Cronin, John J.	Lovely, Joan B.
Cyr, Julian	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
DiZoglio, Diana	Moran, Susan L.
Edwards, Lydia	Rausch, Rebecca L.
Eldridge, James B.	Rodrigues, Michael J.
Feeney, Paul R.	Rush, Michael F.
Finegold, Barry R.	Spilka, Karen E. – 32.

NAYS.

Collins, Nick	Pacheco, Marc R.
Fattman, Ryan C.	Tarr, Bruce E.
Gobi, Anne M.	Timilty, Walter F.
O'Connor, Patrick M.	Velis, John C. – 8.

The yeas and nays having been completed at twenty-six minutes before five o'clock P.M., the bill was passed to be engrossed, in concurrence with the amendment [For text of Senate amendment, printed as amended, see Senate, No. 2872].

Sent to the House for concurrence in the amendment.

Moment of Silence.

Ms. Lovely in the Chair, the members, guests and staff stood in a moment of silence and reflection to the memory of Louis A. Cersosimo.

Moment of silence.

PAPER FROM THE HOUSE.

The House Bill advancing offshore wind and clean energy (House, No. 4524),-- came from the House with the endorsement that the House had NON-concurred in the Senate amendments striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2842; by striking out the title and inserting in place thereof the following title: “An Act driving climate policy forward”, and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Roy of Franklin, Chan of Quincy and Jones of North Reading had been appointed to the committee on the part of the House.

Offshore wind and clean energy.

On motion of Mr. Barrett, the Senate insisted on its amendment and concurred

in the appointment of a committee of conference; and Senators Barrett, Creem and Tarr were appointed on the part of the Senate.

The bill was returned to the House endorsed accordingly.

Order Adopted.

On motion of Mr. Tarr,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Monday next at eleven o'clock A.M, and that the Clerk be directed to dispense with the printing of a calendar.

Time of meeting.

Adjournment in Memory of Louis A. Cersosimo.

The Senator from Essex, Ms. Lovely, moved that when the Senate adjourns today, it do so in memory of Louis A. Cersosimo.

Louis A. Cersosimo, 92, of Peabody, a former City Councillor for 26 years, died on December 24, 2021, at NSMC Salem Hospital, after a brief illness, with his family by his side. He was the husband of the late Elizabeth (Barbrick) Cersosimo. Born in Medford, Massachusetts on December 10, 1929, he was the son of the late Luigi Cersosimo and Giovanni (LaScalea) Cersosimo. He graduated from Medford High School in 1949 and had resided in Peabody for most of his life.

Louis served in the Marine Corps during the Korean War from 1951-1954. He went on to become an assistant manager for the First National Stores on the North Shore, and then operated his own Richdale Store at the corner of Lynn and Washington Streets for 30 years. He later operated the Marriott Gift Shop in Peabody.

Louis was very active in the Peabody community and served with distinction as the Ward 2 Councillor from 1970 until 1996. He was also a commentator for Peabody Access Television for Peabody High sports and was proud to have the Peabody Veterans Memorial High School football field Press Box named in his honor. He also was a starter at The Meadow at Peabody golf course and had been an Inspector for the Massachusetts Racing Commission. He was always available to help the citizens of Peabody.

Louis is survived by a son and daughter-in-law, Louis and Melissa Cersosimo of Peabody; two daughters and sons-in-laws, Jeanne and Reevan Parma of Peabody, and Carol Cersosimo and her husband Thomas Bolioli of Lynnfield; his 6 grandchildren and their spouses, Matthew and Kristina Cliffe of Peabody, Andrew and Sarah Cliffe of Georgetown, Jacqueline and Nicholas Muscatiello of Boston, Michael Cersosimo of Los Angeles, California, Lori and Michael Tufo of Nashua, New Hampshire, and Julia Bolioli of Lynnfield; and his seven great-grandchildren, Jack, Sadie, Aiden, James, Amelia, Madeline and Benjamin; and many nieces and nephews. He was the brother of the late Concetta Cersosimo, Jenny Gurganious, Teresa Weekly and Rita Petty.

Accordingly, as a mark of respect to the memory of Louis A. Cersosimo, at nineteen minutes before five o'clock P.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.