

**The Commonwealth of Massachusetts**

---

**JOURNAL OF THE SENATE.**



**WEDNESDAY, MARCH 20, 2019.**

JOURNAL OF THE SENATE

Wednesday, March 20, 2019.

Met at one minute past one o'clock P.M. (Mr. Boncore in the Chair).

The Chair (Mr. Boncore), 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. Boncore) introduced, in the Senate Gallery, participants in the 82nd Citizen's Legislative Seminar. This year's seminar focused on the hands free driving bill, in addition to other important legislation that will be coming up this session. The group was led by Anne Ziaja. The Senate welcomed them with applause and they withdrew from the Chamber.

82nd Citizen's Legislative Seminar.

Communication.

Communication from the Honorable Karen E. Spilka, President of the Senate, announcing the appointment of Senator Eric P. Lesser (under the provision of Section 107 of Chapter 208 of the Acts of 2018, as amended by Sections 61 and 62 of Chapter 273 of the Acts of 2018) to the special commission to study the ways consumer protection laws may be strengthened to hold corporate entities responsible for their role in furthering the opioid epidemic,-- was placed on file.

Opioid epidemic,-- corporate responsibility.

Reports.

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

Report of the Department of Early Education and Care (pursuant to Section 3(g) of Chapter 15D of the General Laws) submitting its 2018 Annual Legislative Report (received March 18, 2019); and

EEC,-- annual report. SD2340

Report of the Department of Transportation (pursuant to Chapter 277 of the Acts of 2018) submitting its Task Force on Regional Transit Authority Performance and Funding report (received March 18, 2019).

MassDOT,-- transit funding report. SD2343

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Keenan, a petition (accompanied by bill) (subject to Joint Rule 12) of John F. Keenan for legislation to establish a sick leave bank for Chung Tam, an employee of the Massachusetts Department of Transportation;

Chung Tam,-- sick leave. SD2342

By Mr. Kennedy, a petition (accompanied by resolutions) (subject to Joint Rule 12) of Edward J. Kennedy for legislation to condemn political oppression and encouraging free and fair elections in Cambodia; and

Cambodia,-- political oppression. SD2359

By Ms. Rausch (by request), a petition (accompanied by bill) (subject to Joint Rule 12) of Mark Bell for legislation relative to moving violations;

Moving violations. SD2341

Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

**UNCORRECTED PROOF.**

By Joseph Toolan, a petition (accompanied by bill) (subject to Joint Rule 12) of Joseph Toolan for legislation relative to a sum of money for Joseph Toolan;

J. Toolan,-- money.  
SD2344

By Joseph Toolan, a petition (accompanied by bill) (subject to Joint Rule 12) of Joseph Toolan for legislation relative to coastal lands and waterways;

Waterways.  
SD2345

By Joseph Toolan, a petition (accompanied by bill) (subject to Joint Rule 12) of Joseph Toolan for legislation relative to disaster and emergency;

Disaster,-- governor.  
SD2346

By Joseph Toolan, a petition (accompanied by bill) (subject to Joint Rule 12) of Joseph Toolan for legislation relative to space tourism;

Space tourism.  
SD2347

By Joseph Toolan, a petition (accompanied by bill) (subject to Joint Rule 12) of Joseph Toolan for legislation relative to energy based service;

Energy based service.  
SD2348

By Joseph Toolan, a petition (accompanied by bill) (subject to Joint Rule 12) of Joseph Toolan for legislation relative to healthcare;

Healthcare.  
SD2349

By Joseph Toolan, a petition (accompanied by bill) (subject to Joint Rule 12) of Joseph Toolan for legislation relative to energy and utilities;

Energy and utilities.  
SD2350

By Joseph Toolan, a petition (accompanied by bill) (subject to Joint Rule 12) of Joseph Toolan for legislation relative to municipal employment;

Municipal  
employment. SD2351

By Joseph Toolan, a petition (accompanied by bill) (subject to Joint Rule 12) of Joseph Toolan for legislation relative to transportation;

Transportation.  
SD2352

By Joseph Toolan, a petition (accompanied by bill) (subject to Joint Rule 12) of Joseph Toolan for legislation relative to housing;

Housing.  
SD2353

By Joseph Toolan, a petition (accompanied by bill) (subject to Joint Rule 12) of Joseph Toolan for legislation relative to the taking of land and water;

Land and water,--  
taking. SD2354

By Joseph Toolan, a petition (accompanied by bill) (subject to Joint Rule 12) of Joseph Toolan for legislation relative to cruise ships;

Cruise ships.  
SD2355

By Joseph Toolan, a petition (accompanied by bill) (subject to Joint Rule 12) of Joseph Toolan for legislation relative to adult intelligence;

Adult intelligence.  
SD2356

By Joseph Toolan, a petition (accompanied by bill) (subject to Joint Rule 12) of Joseph Toolan for legislation relative to transformative motion; and

Transformative  
motion. SD2357

By Joseph Toolan, a petition (accompanied by bill) (subject to Joint Rule 12) of Joseph Toolan for legislation relative to a joint committee on religion;

Religion,-- joint  
committee. SD2358

**Severally, under Senate Rule 18, were placed on file.**

PAPER FROM THE HOUSE.

Notice was received from the House of Representatives announcing the following appointment by the Speaker:

Representative Paul McMurtry of Dedham as the House Chair of the joint committee on Tourism, Arts and Cultural Development.

Tourism, Arts and  
Cultural  
Development.

*Resolutions.*

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

Resolutions (filed by Mr. O'Connor) "congratulating Jacob Brummett of the city known as the Town of Weymouth on his elevation to the rank of Eagle Scout";

Jacob Brummett.

Resolutions (filed by Mr. O'Connor) "congratulating Kevin Caldwell of the city known as the Town of Weymouth on his elevation to the rank of Eagle Scout";

Kevin Caldwell.

Resolutions (filed by Mr. O'Connor) "congratulating Benjamin Egan of the city known as the Town of Weymouth on his elevation to the rank of Eagle Scout";

Benjamin Egan.

Resolutions (filed by Mr. O'Connor) "congratulating Patrick Fuss of the city known as the Town of Weymouth on his elevation to the rank of Eagle Scout";

Patrick Fuss

**UNCORRECTED PROOF.**

Resolutions (filed by Mr. O'Connor) "congratulating Brendan Jeanjaquet of the city known as the Town of Weymouth on his elevation to the rank of Eagle Scout";

Brendan Jeanjaquet.

Resolutions (filed by Mr. O'Connor) "congratulating Luke Kelley of the city known as the Town of Weymouth on his elevation to the rank of Eagle Scout";

Luke Kelley

Resolutions (filed by Mr. O'Connor) "congratulating Matthew Kowalski of the city known as the Town of Weymouth on his elevation to the rank of Eagle Scout";

Matthew Kowalski.

Resolutions (filed by Mr. O'Connor) "congratulating William Lamie of the city known as the Town of Weymouth on his elevation to the rank of Eagle Scout";

William Lamie.

Resolutions (filed by Mr. O'Connor) "congratulating Zachary Lund of the city known as the Town of Weymouth on his elevation to the rank of Eagle Scout";

Zachary Lund.

Resolutions (filed by Mr. O'Connor) "congratulating Aiden Reichardt of the city known as the Town of Weymouth on his elevation to the rank of Eagle Scout"; and

Aiden Reichardt.

Resolutions (filed by Mr. O'Connor) "congratulating Tyler Wallace of the city known as the Town of Weymouth on his elevation to the rank of Eagle Scout."

Tyler Wallace.

*Committee Discharged.*

Mr. Eldridge, for the committee on the Judiciary, reported, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 984) of Joan B. Lovely, Paul F. Tucker, Michael O. Moore, Timothy R. Whelan and other members of the General Court for legislation to prevent and respond to bullying of elderly and disabled residents; and

Elder and disabled,--bullying.

Of the petition (accompanied by bill, Senate, No. 985) of Joan B. Lovely, Paul F. Tucker, Michael O. Moore, Timothy R. Whelan and other members of the General Court for legislation relative to bullying in public housing;

Public housing,--bullying.

And recommending that the same severally be referred to the committee on Housing;

Of the petition (accompanied by bill, Senate, No. 923) of Brian Coppola for legislation to establish psychiatric advance directives for mental health care; and

Psychiatric advance directives.

Of the petition (accompanied by bill, Senate, No. 942) of Cindy F. Friedman for legislation to provide critical community services;

Community services.

And recommending that the same severally be referred to the committee on Mental Health, Substance Use and Recovery;

**Severally, under Senate Rule 36, the reports were considered forthwith and accepted.**

**Severally sent to the House for concurrence.**

*Order Adopted.*

On motion of Mr. deMacedo--

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

Time of meeting.

*Moment of Silence.*

At the request of the Chair (Mr. Boncore), the members, guests and staff stood in a moment of silence and reflection to the memory of Elaine H. Eugster.

Moment of silence.

*Adjournment in Memory of Elaine H. Eugster*

The Senator from Cape and Islands, Mr. Cyr, presented a request that when the Senate adjourns today it do so in memory of Elaine H. Eugster (née Koppelman) of Tisbury.

On January 11, 2019, Elaine succumbed to injuries sustained in a fall. She was 81 years old. She will be remembered as a tireless, dedicated volunteer to the Martha's Vineyard community, and as a perseverant individual, hard worker, academic mind, and a caring relative to many.

Elaine was born in Brooklyn New York on March 28, 1937. After receiving her high school diploma at the age of 16, Elaine graduated from Brooklyn College with degrees in mathematics and physics. She then went on to receive her M.A. and ABD in mathematics from Yale University. Elaine was hired to teach at Goucher College in Maryland, while completing her doctoral thesis. During this time, Elaine met her late husband Hans Eugster. She continued her impressive educational endeavors by completing her Ph.D. in the history of science at Johns Hopkins University in 1969, followed by her second master's degree in electrical engineering and computer science, also from Johns Hopkins, in 1987.

Elaine traveled extensively with her husband, including as a field assistant to his groundbreaking geological work. Elaine and Hans traveled within the northern United States, through parts of western Africa, Greece, Italy, China, and Bolivia. After their extensive travels, Elaine and Hans purchased a home on Martha's Vineyard, which the two laboriously expanded.

After her husband's sudden death, Elaine chose to take a leave from Goucher College in order to volunteer for the Peace Corps as a data processing teacher in the Seychelles. After returning to her teaching at the College, she retired in 2001 after 40 years of teaching. She moved full time to Martha's Vineyard, where she contributed to and immersed herself in the rich island community.

Elaine selflessly volunteered her time and patronage to various local organizations, including the Martha's Vineyard Cancer Support Group, Hospice of Martha's Vineyard, Friends of the Vineyard Haven Library, the Committee on Hunger, Martha's Vineyard Chamber Music Society, Polly Hill Arboretum, Vineyard Playhouse, and the Yard. Elaine was a pillar in the community, often participating in book clubs, as well as the Want to Know Club and the Peter Luce Play readers, as well as other cultural events.

Elaine is remembered by colleagues, friends, and family, including her three step-daughters, Rachel Eugster, Erica Eugster, and Sandra Eugster, step sons-in-law Jay Baltz, Mac Greene, and Duncan Carlsmith, her seven step-grandchildren, and her two dear brothers Fred and Arthur Koppelman. Having lived a full and meaningful life, may her memory be a blessing.

Accordingly, as a mark of respect in memory of Elaine H. Eugster, at ten minutes past one o'clock P.M., on motion of Mr. deMacedo, the Senate adjourned to meet again tomorrow at eleven o'clock A.M.