

NOTICE: While reasonable efforts have been made to assure the accuracy of the data herein, this is **NOT** the official version of Senate Journal. It is published to provide information in a timely manner, but has **NOT** been proofread against the events of the session for this day. All information obtained from this source should be checked against a proofed copy of the Senate Journal.

UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



Thursday, July 11, 2002.

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

Distinguished Guest.

There being no objection, the Chair (Ms. Melconian) introduced, seated in the rear of the Chamber, Ms. Kelly Albanese from Waltham High School. Kelly received the Commonwealth Award for her distinguished community service. Kelly was accompanied by her parents and they were the guests of Senator Fargo.

Reports.

The following reports were severally read and placed on file:

A report of the Commission on Indian Affairs (under the provisions of Section 8A of Chapter 6A of the General Laws) submitting its annual report for 2001 (received Thursday, June 27, 2002);

A report of the Massachusetts Convention Center Authority (under the provisions of Section 5(l) of Chapter 152 of the Acts of 1997) relative to the status of the Boston Convention and Exhibition Center Project (received Monday, July 1, 2002) ;

A report of the Massachusetts Convention Center Authority (under the provisions of Section 5(l) of Chapter 152 of the Acts of 1997) relative to the status of the Springfield Civic Center Project (received Monday, July 1, 2002);

A report of the Department of Telecommunications and Energy (under the provisions of Section 193 (1G)(g) of Chapter 164 of the Acts of 1997) submitting its annual report concerning self-generation (received Tuesday, July 2, 2002); and

A report of the Public Employee Retirement Administration Commission (under the provisions of Chapter 32 of the General Laws) submitting its 2001 annual report (received Monday, July 8, 2002).

A report of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspection of MCI Norfolk (received Wednesday, June 26, 2002),— **was read and sent to the House for its information.**

Petitions.

Mr. Travaglini presented a petition (accompanied by bill, Senate, No. 2400) of Thomas G. Ambrosino, mayor, Robert E. Travaglini, Kathi-Anne Reinstein and Robert A. DeLeo (with the approval of the mayor and city council) for legislation relative

to voting precincts in the city of Revere [Local approval received],— **and the same was referred, under Senate Rule 20, to the committee on Election Laws.**

Sent to the House for concurrence.

Mr. Panagiotakos (by request) presented a petition (subject to Joint Rule 12) of Carlos A. Cruz for legislation relative to the elimination of the all party consent requirement for the interception of wire and oral communications,— **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Mr. Knapik presented a petition (subject to Joint Rules 9 and 12) of Michael R. Knapik and Michael F. Kane for legislation to restrict the corporate powers and authority of the Holyoke Water Power Company,— **and the same was transmitted, under the provisions of Section 5 of Chapter 3 of the General Laws, to the Secretary of State.**

Reports of Committees.

By Mr. Morrissey, for the committee on Government Regulations, on petition (accompanied by bill, Senate, No. 388), an Order relative to authorizing the joint committee on Government Regulations to make an investigation and study of Senate document numbered 388, relative to the management of adoption records by cities and towns (Senate, No. 2402);
Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Brewer, for the committee on Natural Resources and Agriculture, on petition, a Bill designating certain lands in the towns of Phillipston, Royalston and Templeton for conservation and public recreational purposes in conjunction with the Department of Environmental Management (Senate, No. 2393)

By Ms. Wilkerson, for the committee on State Administration, on petition, a Bill releasing certain land in Hatfield from the operation of an agricultural preservation restriction (Senate, No. 2368);

By the same Senator, for the same committee, on petition, a Bill authorizing the Department of Environmental Management to take or acquire conservation restrictions in and to lands of the city of Leominster (Senate, No. 2382);

By the same Senator, for the same committee, on petition, a Bill for the protection of natural resources authorizing the Department of Environmental Management and the Division of Fisheries and Wildlife to acquire conservation restrictions in and to lands of the Springfield Water and Sewer Commission (Senate, No. 2383);

By the same Senator, for the same committee, on petition, a Bill releasing certain land in Hadley from the operation of an agricultural preservation restriction (Senate, No. 2386);

By the same Senator, for the same committee, on petition, a Bill releasing certain land in Hadley from the operation of an agricultural preservation restriction (Senate, No. 2387); and

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 2385), a Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain property to the Division of Law Enforcement of the Department of Fisheries, Wildlife and Environmental Law Enforcement (Senate, No. 2401);
Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

Ms. Resor, for the committee on Steering and Policy, reported that the following matter be placed in the Orders of the Day for the next session:

The House Bill relative to the descent and distribution of property (House, No. 5136).

PAPERS FROM THE HOUSE.

A message from Her Honor the Lieutenant-Governor, Acting Governor, recommending legislation relative to creating the “United We Stand” distinctive registration plate and the Commonwealth Security Fund (House, No. 5214),— **was referred, in concurrence, to the committee on Public Safety.**

A Bill relative to enhancing English opportunities for all students in the Commonwealth (House, No. 5010, amended,— on House, No. 4947) (Representative Santiago of Lawrence, of the committee on Education, Arts and Humanities, dissenting),— **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Bills

Relative to the issuance of pension funding bonds by the city of Springfield (House, No. 4419,— on petition) [Local approval received]; and

Authorizing the town of Wayland to convey certain park land (House, No. 5059,— on petition) [Local approval received];
Were severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

A report of the committee on Public Safety, asking to be discharged from further consideration of the recommitted petition (accompanied by bill, House, No. 5155) of Paul E. Caron and other members of the House relative to the licensing and certification of swimming pool installers by the Department of Public Safety, and recommending that the same be recommitted to the committee on Government Regulations,— **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

The Senate Bill providing for the preservation and improvement of the environmental assets of the Commonwealth (Senate, No. 2319),— came from the House with the endorsement that said branch had insisted on its amendments: Striking out all after the enacting clause and inserting in place thereof the text of House document numbered 5177; and by striking out the emergency preamble and inserting in place thereof the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for preservation and improvement of the environmental assets of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The bill bore the further endorsement that said branch had concurred with the Senate in the appointment of a committee of conference on the disagreeing votes of the two branches; and that Representatives Rodrigues of Westport, Ciampa of Somerville and Jones of North Reading had been joined as the committee on the part of the House.

Committee Change.

The Chair (Ms. Melconian) announced the resignation of Senator Moore of Worcester and Norfolk as a member of the committee on Bills in the Third Reading and the appointment of Senator Nuciforo of Berkshire, Hampden, Hampshire and Franklin to fill the vacancy.

Petition.

On motion of Ms. Fargo, Senate Rule 20 and Joint Rule 12 were suspended on the petition, presented by Mr. Travaglini, (accompanied by bill, Senate, No. 2404) of Robert E. Travaglini and Anthony Petrucci for legislation to exempt the theatrical group Cirque du Soleil from certain child labor laws,— **and the same was referred to the committee on Commerce and Labor.**

Sent to the House for concurrence.

PAPER FROM THE HOUSE.

Order — Amended.

The following House Order (approved by the committees on Rules of the two branches, acting concurrently) was considered forthwith, as follows:—

Ordered, That, notwithstanding the provisions of Joint Rule 10, joint standing committees and the committees on Rules of the two branches, acting concurrently, be granted until Wednesday, September 4, 2002, within which to make its reports on all matters referred to them.

Pending the question on adoption of the order, Ms. Menard presented an amendment striking out the words “Wednesday, September 4, 2002” and inserting in place thereof the following: “Wednesday, July 31, 2002”.

The amendment was adopted.

The order, as amended, was then adopted.

Sent to the House for concurrence in the amendment.

Resolutions.

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

Resolutions (filed by Mr. Moore and Mr. Glodis) “congratulating the Nipmuc Middle/High School ‘Warriors’ Varsity Baseball Team on winning the 2002 Massachusetts Division III State Championship”; and

Resolutions (filed by Mr. Moore) “congratulating the Douglas Middle High School ‘Tigers’ Varsity Softball Team on winning the 2002 Division III State Championship.”

Matter Taken Out of the Orders of the Day.

There being no objection, the following matter was taken out of the Orders of the Day and considered as follows:

The House Bill designating certain bridges, overpasses and connector roads in the city of Marlborough (House, No. 4994) (its title having been changed by the committee on Bills in the Third Reading),— was read a third time.

Pending the question on passing the bill to be engrossed, Ms. Resor moved that the bill be amended by inserting after the enacting clause the following section:—

“SECTION 1. Chapter 477 of the acts of 1996 is hereby repealed.”.

This amendment was adopted.

The bill was then passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

PAPERS FROM THE HOUSE.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 5218) of James R. Miceli, other members of the House and others relative to telephone solicitation; and

Petition (accompanied by bill, House, No. 5219) of William Francis Galvin and Angelo M. Scaccia for legislation to prevent employers from restricting the sale of employer securities held in employee pension accounts;

Under suspension of Joint Rule 12, to the committee on Commerce and Labor.

Petition (accompanied by bill, House, No. 5220) of Martin J. Walsh and other members of the General Court relative to the statute of limitations for certain sexual crimes against children;

Under suspension of Joint Rule 12, to the committee on Criminal Justice.

Petition (accompanied by bill, House, No. 5221) of Robert Fennell relative to the authority and identification of trustees;

Under suspension of Joint Rule 12, to the committee on the Judiciary.

Petition (accompanied by bill, House, No. 5222) of David C. Bunker, Jr. and Harriette L. Chandler (by vote of the town) for legislation to authorize the town of Holden to purchase water from the city of Worcester;

Under suspension of Joint Rule 12, to the committee on Local Affairs.

Petition (accompanied by bill, House, No. 5223) of Paul E. Tirone relative to designating a certain rail plaza in the city of Newburyport as the Raymond F. Welch Memorial Plaza;

Under suspension of Joint Rule 12, to the committee on Transportation.

Report of a Committee.

Mr. Montigny, for the committee on Ways and Means, reported, on Senate, No. 138, in part, a Bill relative to certain child performers (Senate, No. 2403).

The bill was read.

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

Sent to the House for concurrence.

Reports of Committees.

By Ms. Menard, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Michael W. Morrissey and Stephen F. Lynch for legislation to prohibit anticompetitive practices involving energy related and other services by gas and electric utilities using ratepayer-based assets.

Senate Rule 36 was suspended, on motion of Mr. O’Leary, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Government Regulations.

By Ms. Menard, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Andrea F. Nuciforo, Jr., Daniel E. Bosley and Shaun P. Kelly for legislation relative to establishing the Berkshire County Regional Housing Authority.

Senate Rule 36 was suspended, on motion of Mr. O’Leary, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Housing and Urban Development.

By Ms. Menard, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Guy W. Glodis and Harriette L. Chandler for legislation to authorize the Metropolitan District Commission and the city of Worcester to convey a certain parcel of land in the Nashua River Basin.

Senate Rule 36 was suspended, on motion of Mr. O’Leary, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration.

By Ms. Menard, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Michael W. Morrissey for legislation relative to the sales tax on products used in the treatment of diabetes.

Senate Rule 36 was suspended, on motion of Mr. O’Leary, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Taxation.

Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE.

Emergency Preambles Adopted.

An engrossed Bill relative to community preservation of historic resources (see House Bill, printed as Senate, No. 2343, 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 and sent to the House for enactment.**

An engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to transfer certain parcels of land in the town of Medfield (see House, No. 4108, 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 and sent to the House for enactment.

The Senate Bill authorizing the town of Andover to convey land to the Andover Village Improvement Society (Senate, No.1046),— came from the House passed to be engrossed, in concurrence, *with amendments* in section 1, line 1, by striking out the words “Notwithstanding any general or special law to the contrary” and inserting in place thereof the following: “Subject only to subsections (a), (b) and (g) of section 16 of chapter 30B of the General Laws”, by adding at the end thereof the following sentence: “These parcels shall be held by the Andover Village Improvement Society solely for the purpose of open space preservation.”; by striking out section 2 and inserting in place thereof the following 2 sections:

“SECTION 2. If the parcels of land identified in section 1 are used for a purpose other than open space preservation following their conveyance by the town of Andover, the property shall revert to the town of Andover and any further disposition of the parcels shall require the prior approval of the general court.

SECTION 3. This act shall take effect upon its passage.”.

The rules were suspended, on motion of Ms. Wilkerson, and the House amendments were considered forthwith and adopted, in concurrence.

The House Bill providing support to individuals with disabilities and their families (Senate, No. 2218),— came from the House passed to be engrossed, in concurrence, *with amendments* in section 1, in line 41, by striking out the word “illnesses.” and inserting in place thereof the words “illnesses and”, in lines 41 and 42, by striking out the words “and groups representing their interests”, in line 53, by striking out the words “and other interested parties,”, by striking out the paragraph contained in lines 86 to 91, inclusive, and inserting in place thereof the following paragraph:

“(4) to identify family support resources that shall be used to achieve goals and objectives specified in the plan and to analyze the current flexibility of departmental funding mechanisms in order to identify any adjustments needed to more adequately provide family supports for those families prioritized for funding, within the guidelines of each department mandate;” and by adding at the end thereof the following section:

“SECTION 3. All requirements set forth in this act shall be subject to appropriation by the general court and shall not give rise to any enforceable right or entitlement not otherwise provided by state regulation or by general or special law.”.

The rules were suspended, on motion of Mr. O’Leary, and the House amendments were considered forthwith and adopted, in concurrence.

Reports of a Committee.

By Mr. Montigny, for the committee on Ways and Means, on petition, a Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land to the Taunton Development Corporation (Senate, No. 1591, changed in section 9, by striking out the third paragraph and inserting in place thereof the following paragraph:—

“This parcel shall be maintained as a recreational area unless and until the Taunton Development Corporation provides to the city of Taunton 25.20 acres or more of contiguous, comparable land within North Taunton, to be approved by a vote of the city council and mayor.”; by striking out section 10 and inserting in place thereof the following section:—

“SECTION 10. If, at any time, any use of the property is undertaken other than for purposes described in this act or if any of the terms or restrictions placed on the property under section 3 are not complied with, the property shall revert to the commonwealth upon notice by the commissioner of the division of capital asset management and maintenance.”; and

In section 11 by striking out, in line 13, the word “authorities;” and inserting in place thereof the following words:— “authorities. The department of environmental management may conduct testing and perform studies of the land to determine whether and to what extent a water withdrawal well may be installed without causing significant negative environmental impacts to other environmental resources. If the testing and studies indicate that the water withdrawal can occur without causing significant environmental impacts, the department of environmental management may enter into such agreements, leases or license agreements as it considers appropriate to allow the city of Taunton or others to install and operate a water withdrawal well on the premises, and to construct structures and install and operate equipment related to the operation of any well as will allow the water withdrawn from the premises to be appropriately purified and otherwise treated;”).

The bill was read. There being no objection, the rules were suspended, on motion of Ms. Wilkerson, and the bill (Senate, No. 1591, changed) was read a second time, ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

By Mr. Montigny, for the committee on Ways and Means, that the Senate Bill terminating a certain easement granted to the Department of Mental Health (Senate, No. 1593),— ought to pass.

There being no objection, the rules were suspended, on motion of Ms. Wilkerson, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act terminating a certain right of way granted to the Department of Mental Health.”

Sent to the House for concurrence.

By Mr. Montigny, for the committee on Ways and Means, that the Senate Bill providing for an inquiry into the safety of low pressure boilers (Senate, No. 2011, changed) — ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2396).

The rules were suspended, on motion of Ms. Wilkerson, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2396) was then ordered to a third reading, read a third time and passed to be engrossed, its title

having been changed to read as follows: “An Act providing for an investigation and study relative to the safety of low pressure boilers.”

Sent to the House for concurrence.

By Mr. Montigny, for the committee on Ways and Means, that the Senate Bill making a technical change to chapter 235 of the Acts of 2000 (Senate, No. 2202),— ought to pass,

There being no objection, the rules were suspended, on motion of Mr. O’Leary, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act providing for the repair of a certain road in the city of Leominster.”

Sent to the House for concurrence.

By Mr. Montigny, for the committee on Ways and Means, that the Senate Bill authorizing an exchange of certain land between the town of Tewksbury and the Commonwealth (Senate, No. 2342),— ought to pass, *with amendments*, in section 1, by inserting after the word “cemetery”, in line 7, the following words:— “and recreation”; in section 2, by striking out the words “used for conservation, recreation and cemetery”, in line 5, and inserting in place thereof the following words:— “used for conservation and recreation”; in section 3, by striking out the last two sentences of the first paragraph and inserting in place thereof the following sentence:— “Should the full and fair market value of parcels (2) and (4) be determined to be greater than that of parcels (1) and (3), the commonwealth shall not pay any value or compensation for the difference to the town of Tewksbury.”; and in section 5, by inserting after the word “cemetery”, in line 3, the following words:— “and recreation”.

There being no objection, the rules were suspended, on motion of Ms. Wilkerson, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2342, amended) was then ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

Mr. Montigny, for the committee on Ways and Means, reported, on House, No. 2239, in part, a “Bill relative to creditable service” (printed as House, No. 3426) [Local approval received on House, No. 3426];

The bill was read. There being no objection, the rules were suspended, on motion of Ms. Wilkerson, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act relative to creditable service of certain employees of the city of Boston.”

Sent to the House for concurrence.

By Mr. Montigny, for the committee on Ways and Means, that the House Bill relative to community residency assuring fairness for clients of the Department of Mental Health residential programs (House, No. 3741, changed and amended),— ought to pass, *with amendments*, adding the following section:—

“SECTION 2. This act take effect as of July 1, 2002.”; and inserting before the enacting clause the following emergency preamble:—

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is forthwith to provide certain protections to community residency tenancies, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health, safety and convenience.”.

The rules were suspended, on motion of Mr. O’Leary, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means. The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendments.

Sent to the House for concurrence in the amendments.

By Mr. Montigny, for the committee on Ways and Means, that the House Bill authorizing the city known as the town of Agawam to use certain parkland for school purposes (House, No. 3766),— ought to pass.

There being no objection, the rules were suspended, on motion of Ms. Wilkerson, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

By Mr. Montigny, for the committee on Ways and Means, that the House Bill relative to commercial area revitalization districts (House, No. 4637),— ought to pass, *with an amendment*, in section 1, by inserting after the word “institutions”, in line 5, as printed, the following words:— “within the city of Boston”.

The rules were suspended, on motion of Ms. Wilkerson, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

By Mr. Montigny, for the committee on Ways and Means, that the House Bill authorizing the Commissioner of the Division of Capital Asset Management and Maintenance to convey certain land in the town of Westborough (House, No. 4844),— ought to pass, *with an amendment*, striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2397.

The rules were suspended, on motion of Ms. Wilkerson, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

By Mr. Montigny, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Holly Andersen, an employee of the trial court of the commonwealth (House, No. 5047),— ought to pass.

There being no objection, the rules were suspended, on motion of Ms. Wilkerson, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

Order Adopted.

On motion of Ms. Wilkerson,—

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.

Recess.

There being no objection, at twenty-eight minutes before twelve o’clock noon, the Chair (Ms. Melconian) declared a recess subject to the call of the Chair; and at twelve minutes past twelve o’clock noon, the Senate reassembled, Ms. Melconian in the Chair.

Report of a Committee.

By Mr. Montigny, for the committee on Ways and Means, that the House Bill authorizing the Division of Capital Asset Management and Maintenance to grant a certain easement in the town of Tewksbury to the Tewksbury Housing Authority (House, No. 4766).— ought to pass, *with amendments*, in section 1, by inserting after the word “easement”, in lines 7 and 8, the following words:— “shall include only the amount of land necessary for vehicular entry to, and exit from, the adjacent property”; and by adding at the end thereof the following sentence:— “The Tewksbury housing authority or its contractor shall be responsible for any costs for appraisals, surveys and all other expenses and liabilities relating to the granting and exercise of the easement.”.

The rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means. The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendments.

Sent to the House for concurrence in the amendments.

PAPERS FROM THE HOUSE.

Emergency Preambles Adopted.

An engrossed Bill relative to child performers (see Senate, No. 2403), 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 and sent to the House for enactment.

An engrossed Bill relative to dental and vision care carriers (see House, No. 4676, 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 3 to 0.**

The bill was signed by the Acting President and sent to the House for enactment.

Engrossed Bills.

The following engrossed bills (the first of which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage were severally passed to be enacted and were signed by the Acting President and laid before the Acting Governor for her approbation, to wit:

Relative to child performers (see Senate, No. 2403);

Relative to community preservation of historic resources (see House Bill, printed as Senate, No. 2343, amended);

Relative to betterment assessments for sewerage facilities in the town of Millbury (see House, No. 1507);

Relative to a certain employee of the Division of Industrial Accidents (see House, No. 4418, amended); and

Authorizing the town of Truro to establish an affordable housing trust fund (see House, No. 4477, amended).

Committee Change.

The Chair (Ms. Melconian) announced the resignation of Senator Nuciforo of Berkshire, Hampden, Hampshire and Franklin as a member of the committee on Bills in the Third Reading and the reappointment of Senator Moore of Worcester and Norfolk thereto.

Adjournment in Memory of Former Senator C. Henry Glovsky.

Mr. Berry presented a request that when the Senate adjourns, it adjourn in memory of C. Henry Glovsky of Beverly. Mr. Glovsky served as a member of the Massachusetts House of Representatives from 1951 to 1953, and was elected to the Senate in a Special Election in 1953, and served in the Senate until 1956. Mr. Glovsky was a graduate of Dartmouth College and Harvard law School. He served in the United States Army and earned the rank of Major. Mr. Glovsky, along with his late father, founded the prominent Beverly law firm of Glovsky & Glovsky . Attorney Glovsky was very active in the North Shore community, and served on numerous boards and was active in many philanthropic and humanitarian activities. He leaves his wife Natalie, two sons, Mark and John, a brother Bertram, four grandchildren and three great grandchildren. The motion prevailed.

Accordingly, as a mark of respect to the memory of C. Henry Glovsky, at twenty-six minutes past twelve o'clock noon, on motion of Mr. Tarr, the Senate adjourned to meet on Monday next at eleven o'clock A.M.