

**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.



### JOURNAL OF THE SENATE.

*Thursday, June 12, 2008.*

Met according to adjournment at one o'clock P.M. (Mr. Rosenberg in the Chair).

#### *Distinguished Guests.*

There being no objection, the President handed the gavel to Mr. McGee for the purpose of an introduction. Mr. McGee then introduced Michelove Cajusma, a member of Girls Incorporated of Lynn, Massachusetts. Michelove is recognized for having received the 2008 Strong, Smart and Bold Young Woman Award for her outstanding participation and leadership skills. Michelove graduated last week from Lynn English High School and will be attending the University of Massachusetts at Amherst in September. She was accompanied by Executive Director, Pat Driscoll and advisor, Markyse Dorceus. The Senate applauded her accomplishments and they withdrew from the Chamber.

There being no objection, the President introduced the Corporation Acappella Group from Hanover High School. The group gave an acappella performance of "America the Beautiful". They were accompanied by Director Allyson Greer and teacher Mark Malloy and Representative Robert Nyman of Hanover. They were the guests of Senator Creedon.

#### *Communication.*

A communication from the Hampshire Sheriff's Office relative to corrective measures taken pursuant to a Department of Public Health Inspection of the Hampshire County Jail and House of Correction on April 22, 2008 (received Wednesday, June 11, 2008),— **was read and sent to the House for its information.**

#### *Reports.*

The following reports were severally read and sent to the House for its information:—

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 the Berkshire County Jail and House of Correction (received Wednesday, June 11, 2008);

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 the Hampden Sheriff's Department and Correctional Center (received Wednesday, June 11, 2008);

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 the Bristol County Jail, Ash Street Facility (received Wednesday, June 11, 2008);

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 the Essex County Correctional Facility (received Wednesday, June 11, 2008); and

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 Concord (received Wednesday, June 11, 2008).

#### *Report of a Committee.*

By Mr. Montigny, for the committee on Bonding, Capital Expenditures and State Assets, on petition, a Bill authorizing the Department of Fish and Game to acquire a conservation restriction on lands of the city of Westfield (Senate, No. 2674) [Local approval received];

**Read and, under Senate Rule 27, referred to the committee on Ways and Means.**

*Committees Discharged.*

Mr. Downing, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration of the Senate Order relative to authorizing the joint committee on Municipalities and Regional Government to make an investigation and study of certain current Senate documents relative to various local affairs matters (Senate, No. 2740), and recommending that the same be referred to the Senate committee on Ethics and Rules.

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

**PAPERS FROM THE HOUSE.**

Petitions were referred, in concurrence, as follows:

Joint petition (accompanied by bill, House, No. 4830) of Susan Williams Gifford (by vote of the town) for legislation to authorize the town of Wareham to issue additional licenses for the sale of alcoholic beverages within certain designated areas of said town; Petition (accompanied by bill, House, No. 4831) of David Paul Linsky and others (by vote of the town) that the town of Natick be authorized to grant additional licenses for the sale of alcoholic beverages to be drunk on the premise of such licensees; and Petition (accompanied by bill, House, No. 4832) of Paul McMurtry (by vote of the town) for legislation to authorize the town of Westwood to grant a license for the sale of wine and malt beverages at a supermarket or grocery store;

**Severally to the committee on Consumer Protection and Professional Licensure.**

Petition (accompanied by bill, House, No. 4833) of Elizabeth A. Malia and Dianne Wilkerson (with the approval of the mayor and city council) for legislation to regulate evictions on certain foreclosed residential property in the city of Boston;

**To the committee on Housing.**

Petition (accompanied by bill, House, No. 4834) of Barbara A. L'Italien and others (by vote of the town) for legislation to exempt the town of North Andover from certain provisions of the prevailing wage law;

**Under suspension of Joint Rule 12 to the committee on Labor and Workforce Development.**

Petition (accompanied by bill, House, No. 4835) of Susan C. Fargo and others (by vote of the town) that the town of Sudbury be authorized to place certain funds from insurance settlements into accounts of the police and fire departments of said town; and Petition (accompanied by bill, House, No. 4836) of William Smitty Pignatelli (by vote of the town) relative to the designation of alternate members to serve on the conservation commission of the town of Stockbridge;

**Severally to the committee on Municipalities and Regional Government.**

Petition (accompanied by bill, House, No. 4837) of Garrett J. Bradley and Robert L. Hedlund (by vote of the town) relative to the appointment of Michael P. Hickey to the police department of the town of Hingham;

Petition (accompanied by bill, House, No. 4838) of Robert A. DeLeo and others (with the approval of the mayor and city council) that the mayor of the city of Revere be authorized to appoint additional members to the reserve force of the fire department of said city;

Petition (accompanied by bill, House, No. 4839) of Paul McMurtry (by vote of the town) relative to the appointment of Richard Corcoran and Kazimierz R. Piorkowski, Jr., to the position of fire fighter in the town of Westwood, notwithstanding the maximum age requirements;

Petition (accompanied by bill; House, No. 4840) of Paul McMurtry (by vote of the town) for legislation to establish a group insurance liability fund for retired public employees of the town of Westwood; and

Petition (accompanied by bill, House, No. 4841) of Bruce E. Tarr and James R. Miceli (by vote of the town) for legislation to authorize the appointment of Darryl Sencabaugh as a fire fighter in the town of Wilmington, notwithstanding the maximum age requirements;

**Severally to the committee on Public Service.**

Petition (accompanied by bill, House, No. 4842) of Garrett J. Bradley and Robert L. Hedlund (by vote of the town) that the town of Hull be authorized to incorporate into its local tax bills a check-off or donation form for support of the veterans council assistance fund of said town.

**To the committee on Revenue.**

*Bills*

Establishing a sudden infant death syndrome advisory council (House, No. 1678,— on petition);

Designating a certain interchange in the town of Yarmouth as the State Trooper Ellen Engelhardt Interchange (House, No. 4918,— on House, No. 3665); and

Designating a certain bridge in the town of Saugus as the Cpl. Scott J. Procopio Saugus American Legion Post 210 Bridge (House, No. 4926,— on petition);

**Were severally read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

*Bills*

Relative to the board of library trustees of the town of Bridgewater (House, No. 4531,— on petition) [Local approval received];

and

Authorizing the city of Haverhill to borrow funds for the purpose of financing the purchase of school department text books (House, No. 4761,— 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 communication from the Executive Office of Transportation (under Section 7V of Chapter 90 of the General Laws) submitting proposed regulations by the Registry of Motor Vehicles (House, No. 4850),— **was referred, in concurrence, to the committee on Transportation.**

*Recess.*

There being no objection, at one minute past one o'clock P.M., the Chair (Mr. Rosenberg) declared a recess; and at five minutes before two o'clock P.M., the Senate reassembled, the President in the Chair.

The President, members, guests and employees then recited the pledge of allegiance to the flag.

*Resolutions.*

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:— Resolutions (filed by Ms. Chandler) “honoring Rabbi Jordan Millstein and Rabbi Paula Feldstein for their service and commitment to Temple Emanuel in the city of Worcester and the greater Worcester community”; Resolutions (filed by Ms. Fargo) “congratulating Thomas N. Jewell on the occasion of his retirement”; and Resolutions (filed by Messrs. Moore and Knapik) “memorializing the Congress of the United States to approve Joint Resolution 39 awarding honorary posthumous citizenship to Casimir Pulaski.”

*Communication.*

The Clerk read the following communication:

COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS SENATE  
STATE HOUSE, BOSTON 02133-1053

*June 9, 2008*

*Mr. William Welch, Clerk*  
Massachusetts State Senate  
State House, Room 335  
Boston, MA 02133

Dear Mr. Clerk:

On Wednesday June 4, 2008, I was absent from the Senate floor due to a matter of significant importance to my district. I missed a roll call relative to the emergency preamble and enactment of H 4383 AN ACT RELATIVE TO THE ECONOMIC DEVELOPMENT OF THE COMMONWEALTH.

Had I been present, I would have voted in the affirmative.

I would respectfully request that this letter be published in the Senate Journal as part of the official record. Thank you in advance for your assistance in this matter.

*Sincerely,*  
DIANNE WILKERSON,  
*State Senator,*  
*Second Suffolk District.*

On motion of Ms. Wilkerson, the above communication was ordered printed in the Journal of the Senate.

**PAPERS FROM THE HOUSE.**

*Engrossed Bill — State Loan.*

An engrossed Bill providing for the investment in and expansion of the life sciences industry in the Commonwealth (see House, No. 4829) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was put upon its final passage; and, after debate, this being a bill providing for the borrowing of money, in accordance with the provisions of Section 3 of Article LXII of the Amendments to the Constitution, the question on passing it to be enacted

was determined by a call of the yeas and nays, at one minute past three o'clock P.M., as follows, to wit (*yeas 31 — nays 7*) [**Yeas and Nays No. 243**];

<b>YEAS.</b>	
Antonioni, Robert A.	Brewer, Stephen M.
Augustus, Edward M., Jr.	Buoniconti, Stephen J.
Baddour, Steven A.	Candaras, Gale D.
Berry, Frederick E.	Chandler, Harriette L.
Creedon, Robert S., Jr.	Pacheco, Marc R.
Creem, Cynthia Stone	Panagiotakos, Steven C.
Downing, Benjamin B.	Petrucelli, Anthony
Fargo, Susan C.	Resor, Pamela
Galluccio, Anthony D.	Rosenberg, Stanley C.
Hart, John A., Jr.	Spilka, Karen E.
Joyce, Brian A.	Timilty, James E.
McGee, Thomas M.	Tolman, Steven A.
Menard, Joan M..	Tucker, Susan C.
Moore, Richard T.	Walsh, Marian
Morrissey, Michael W.	Wilkerson, Dianne — <b>31.</b>
O'Leary, Robert A.	
<b>NAYS.</b>	
Brown, Scott P.	Montigny, Mark C.
Hedlund, Robert L.	Tarr, Bruce E.
Jehlen, Patricia D.	Tisei, Richard R. — <b>7.</b>
Knapik, Michael R.	
<b>ABSENT OR NOT VOTING.</b>	
Marzilli, Jim — <b>1.</b>	

**The yeas and nays having been completed at five minutes past 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.**

*Engrossed Bill — Land Taking for Conservation, Etc.*

An engrossed Bill relative to the conveyance of property by the county of Nantucket (see Senate, No. 2224) (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; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at six minutes past three o'clock P.M., as follows, to wit (*yeas 38 — nays 0*) [**Yeas and Nays No. 244**];

<b>YEAS.</b>	
Antonioni, Robert A.	Hedlund, Robert L.
Augustus, Edward M., Jr.	Jehlen, Patricia D.
Baddour, Steven A.	Joyce, Brian A.
Berry, Frederick E.	Knapik, Michael R.
Brewer, Stephen M.	McGee, Thomas M.
Brown, Scott P.	Menard, Joan M.
Buoniconiti, Stephen J.	Montigny, Mark C.
Candaras, Gale D.	Moore, Richard T.
Chandler, Harriette L.	Morrissey, Michael W.
Creedon, Robert S., Jr.	O'Leary, Robert A.
Creem, Cynthia Stone.	Pacheco, Marc R.
Downing, Benjamin B.	Panagiotakos, Steven C.
Fargo, Susan C.	Petruccelli, Anthony
Galluccio, Anthony D.	Resor, Pamela
Hart, John A., Jr.	Rosenberg, Stanley C.
Spilka, Karen E.	Tolman, Steven A.
Tarr, Bruce E.	Tucker, Susan C.
Timilty, James E.	Walsh, Marian
Tisei, Richard R.	Wilkerson, Dianne — <b>38.</b>
<b>NAYS —0.</b>	
<b>ABSENT OR NOT VOTING.</b>	
Marzilli, Jim — <b>1.</b>	

**The yeas and nays having been completed at eight minutes past 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.**

*Engrossed Bills.*

The following engrossed bills (all 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 President and laid before the Governor for his approbation, to wit:—

Further regulating the educational requirements for operating boilers under a special license (see Senate, No. 2488);  
 Authorizing the city of Melrose to issue pension funding bonds or notes (see Senate, No. 2602); and  
 Converting the Liquor Liability Joint Underwriting Association into the Hospitality Mutual Insurance Company (see Senate, No. 2668).

*Orders of the Day.*

The Orders of the Day were considered, as follows:

*Bills*

Relative to SBA income in the town of Sunderland (Senate, No. 2686);

Authorizing the town of Provincetown to grant a certain easement (House, No. 4015, amended);

Authorizing Daniel Wesinger to take the civil service examination for firefighter in the town of Arlington (House, No. 4123);

Relative to firearms licensing in the town of Orange (House, No. 4278);

Exempting the position of deputy fire chief in the town of Hingham from the civil service law (House, No. 4496);

Relative to certain licenses for the sale of all alcoholic beverages to be drunk on the premises in the town of Hingham (House, No. 4501);

Relative to certain property in the town of Chilmark (House, No. 4559); and

Reducing the minimum seating capacity of certain restaurants in the town of Reading (House, No. 4737);

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

The House Bill relative to election in the city of Everett (House, No. 4097),— **was read a second time and ordered to a third reading. There being no objection, the rules were suspended, on motion of Ms. Menard, and the bill was read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act relative to elections in the city of Everett”.**

The House Bill relative to the conservation commission of the town of West Stockbridge (House, No. 4100),— **was read a second time and ordered to a third reading. There being no objection, the rules were suspended, on motion of Ms. Fargo, and the bill was read a third time and passed to be engrossed, in concurrence.**

The House Bill relative to preliminary elections in the city of Newton (House, No. 4397),— **was read a second time and ordered to a third reading. There being no objection, the rules were suspended, on motion of Mr. Berry, and the bill was read a third time and passed to be engrossed, in concurrence.**

The House Bill authorizing the town of Westborough to grant an additional license for the sale of wines and malt beverages to be drunk on the premises (House, No. 4504),— **was read a second time and ordered to a third reading. There being no objection, the rules were suspended, on motion of Mr. Berry, and the bill was read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act authorizing the town of Westborough to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises”.**

The House Bill authorizing the city of Worcester to provide certain retirement and medical benefits to fire fighter Mark S. Stomski (House, No. 4711),— **was read a second time and ordered to a third reading.**

**There being no objection, the rules were suspended, on motion of Mr. Berry, and the bill was read a third time and passed to be engrossed, in concurrence.**

The House Bill relative to the retirement and health insurance of certain elected officials in the town of Tyringham (House, No. 4755),— **was read a second time and ordered to a third reading. There being no objection, the rules were suspended, on motion of Mr. Berry, and the bill was read a third time and passed to be engrossed, in concurrence.**

*The Senate bills*

To create a community hospital capital reserve fund (Senate, No. 2368, amended);

Relative to renewal communities and smart growth zoning (Senate, No. 2370);

Relative to the use of a certain building in the town of Whitman (Senate, No. 2474) (its title having been changed by the committee on Bills in the Third Reading);

Relative to the Kasabuski Rink in the town of Saugus (Senate, No. 2625) (its title having been changed by the committee on Bills in the Third Reading);

Establishing a sick leave bank for Mark Stanton, an employee of the Department of Public Health (Senate, No. 2677);

Establishing a sick leave bank for Lois Tobin, an employee of the Department of Mental Retardation (Senate, No. 2678) (its title having been changed by the committee on Bills in the Third Reading);

Relative to the leasing of a certain parcel of land in the town of Gardner (Senate, No. 2696, amended);

Relative to equitable coverage for annuity policies (Senate, No. 2729); and

Providing for the regulation of landscape sprinkler systems (Senate, No. 2742) (its title having been changed by the committee on Bills in the Third Reading);

Were severally read a third time and passed to be engrossed.

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

*The House bills*

Establishing a sick leave bank for Manuel M. Affonso Jr., an employee of the Department of Correction (House, No. 4717); and

Establishing a sick leave bank for Jesse Goguen, an employee of the Department of Correction (House, No. 4736);

**Were severally read a third time and passed to be engrossed, in concurrence.**

The Senate Bill relative to the State Library (Senate, No. 1996),— **was read a third time.**

**Pending the question on passing the bill to be engrossed, Mr. Augustus moved that the bill be amended substituting a new draft with the same title (Senate, No. 2748).**

**This amendment was adopted.**

**The bill (Senate, No. 2748) was then passed to be engrossed.**

**Sent to the House for concurrence.**

The Senate Bill relative to the regulation of snow and recreation vehicles (Senate, No. 2735, amended),— **was read a third time.**

**Pending the question on passing the bill to be engrossed, on motion of Mr. Panagiotakos, the further consideration thereof was postponed until the next session.**

The Senate Bill relative to the preservation of dairy farms (Senate, No. 2743),— **was read a third time.**

Pending the question on passing the bill to be engrossed, Mr. Brewer moved that the bill be amended in section 6, by adding the following sentence:—“The commissioner shall make the initial appointments within 6 months of the effective date of this act.”.

**After remarks, this amendment was adopted.**

After further remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at twenty-five minutes before four o'clock P.M., on motion of Mr. Rosenberg, as follows; to wit (*yeas 37 — nays 0*) [**Yeas and Nays No. 245**];

<b>YEAS.</b>	
Antonioni, Robert A.	Hedlund, Robert L.
Augustus, Edward M., Jr.	Jehlen, Patricia D.
Baddour, Steven A.	Joyce, Brian A.
Berry, Frederick E.	Knapik, Michael R.
Brewer, Stephen M.	Menard, Joan M.
Brown, Scott P.	Montigny, Mark C.
Buoniconti, Stephen J.	Moore, Richard T.
Candaras, Gale D.	Morrissey, Michael W.
Chandler, Harriette L.	O'Leary, Robert A.
Creedon, Robert S., Jr.	Pacheco, Marc R.
Creem, Cynthia Stone.	Panagiotakos, Steven C.
Downing, Benjamin B.	Petrucelli, Anthony
Fargo, Susan C.	Resor, Pamela
Galluccio, Anthony D.	Rosenberg, Stanley C.
Hart, John A., Jr.	Tolman, Steven A.
Spilka, Karen E.	Tucker, Susan C.
Tarr, Bruce E.	Walsh, Marian
Timilty, James E.	Wilkerson, Dianne — <b>37.</b>
Tisei, Richard R.	
<b>NAYS —0.</b>	
<b>ABSENT OR NOT VOTING.</b>	

Marzilli, Jim	McGee, Thomas M. — 2.
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**The yeas and nays having been completed at twenty-two minutes before four o'clock P.M., the bill was passed to be engrossed.**

**Sent to the House for concurrence.**

The Senate Bill relative to rates of pilotage (Senate, No. 515),— **was considered, the question being on ordering it to a third reading.**

**On motion of Mr. Panagiotakos, the further consideration thereof was postponed until the next session.**

The Senate Bill establishing the Martha's Vineyard Housing Bank (Senate, No. 2546),— **was considered, the main question being on passing it to be engrossed.**

**The pending motion, previously moved by Mr. Tisei, to lay the matter on the table was considered; and it was negatived.**

**On further motion of Mr. Tisei, the further consideration thereof was postponed until the next session.**

The Senate Bill establishing the Nantucket Community Housing Bank (Senate, No. 2544),— **was considered, the main question being on passed it to be engrossed.**

**The pending motion, previously moved by Mr. Tisei, to lay the matter on the table was considered; and it was negatived.**

**On further motion of the same Senator, the further consideration thereof was postponed until the next session.**

*Matter Taken Out of the Notice Section of the Calendar.*

There being no objection, the following matter was taken out of the Notice Section of the Calendar and considered as follows:—

The Senate Bill relative to educational expenditures in the town of Milton (Senate, No. 2486),— **was read a third time and passed to be engrossed.**

**Sent to the House for concurrence.**

*Report of a Committee.*

The following report was laid before the Senate, the time within which the said committee was required to report having expired:—

Of the committee on State Administration and Regulatory Oversight, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, Senate, No. 2679) of Dianne Wilkerson, Steven C. Panagiotakos, Stanley C. Rosenberg, Susan C. Fargo and other members of the General Court for legislation relative to the annual observance of Massachusetts Nonprofit Awareness Day.

**On motion of Ms. Wilkerson, the rules were suspended; and on further motion of the same Senator, the petition was recommitted to the Joint Committee on State Administration and Regulatory Oversight.**

**PAPERS FROM THE HOUSE.**

Petitions were referred, in concurrence, as follows:—

Petition (accompanied by bill, House, No. 4848) of David L. Flynn and Marc R. Pacheco that the town of Bridgewater be authorized to appropriate a certain sum of money to pay for the rental of modular classrooms;

**Under suspension of Joint Rule 7B, to the committee on Municipalities and Regional Government.**

Petition (accompanied by bill, House, No. 4849) of David L. Flynn and Marc R. Pacheco for legislation to establish a development revolving fund in the town of Raynham.

**Under suspension of Joint Rule 7B, to the committee on Revenue.**

*Moment of Silence for Evangelos Speros Candaras.*

Evangelos Speros Candaras, 58 years old, famously known as “L.A.” by his friends and Evan by his family, was called safely home to Paradise on Thursday June 5, 2008, in Teaneck, New Jersey, after a heroic battle with cancer. Evan was born in Brooklyn, New York, on December 17, 1949, to Ethel and Speros Candaras and came to live in Teaneck, New Jersey as a one-year old. He attended Longfellow Elementary School, Thomas Jefferson Junior High School and Teaneck High School. Evan will be remembered for his mechanical genius and his wonderful sense of humor. Evan loved nothing better than to be in his Oakland home working on his motorcycle and model airplanes or spending time with his son, neighbors and friends. He is survived by his beloved son, Jason Candaras of Fair Lawn, his loving sister, Senator Gale Candaras of Wilbraham, Massachusetts, and her husband, Professor Arthur Wolf, Esq., his nephew, Evan A. Coppola, Esq. of South Burlington, Vermont, his former spouse and friend, Alice Candaras and her family, all of Fair Lawn.

*Order Adopted.*

On motion of Ms. Fargo,—

*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.

*Adjournment in Memory of Sergeant Shane Duffy.*

The Senator from Plymouth and Bristol, Mr. Pacheco, requested that when the Senate adjourns today, it adjourn in memory of Sergeant Shane Duffy.

Sgt. Shane Padriag Duffy, age 22, was killed on June 4, 2008, after his unit was attacked by enemy forces using small arms fire and hand grenades in Sharqat, Iraq. (He actually died in Tikrit, Iraq). Sgt. Duffy served with the 1st Battalion, 87th Infantry Regiment, 1st Brigade Combat Team, 10th Mountain Division which is based out of Fort Drum, New York.

Duffy, who was home on leave over Memorial Day weekend, was on his second tour of duty in Iraq. During the leave, he and his wife Jamie held a christening for their 8-month-old baby girl, Mackenzie. Besides his wife and child, Duffy is survived by his mother and father, Frances and Keavin Duffy, brother Keavin, Jr. and sisters Kelsey Ann and Shannon Duffy.

Accordingly, as a mark of respect to the memory of Sgt. Shane Duffy, at two minutes before four o'clock P.M., on motion of Mr. Pacheco, the Senate adjourned to meet again Monday next at eleven o'clock A.M.