

**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.

*Tuesday, June 5, 2007.*

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

#### *Distinguished Guest.*

There being no objection, the President handed the gavel to Ms. Wilkerson for the purpose of an introduction. Ms. Wilkerson introduced former Congressman Walter Fauntroy. Congressman Fauntroy was the first Congressman to represent the District of Columbia and served in the House of Representatives from 1971 to 1991. Congress-man Fauntroy signed the guest book and withdrew from the Chamber.

#### *Communication.*

A communication from the Honorable Therese Murray, President of the Senate, announcing the appointment (pursuant to Section 214 of Chapter 6 of the General Laws) of Senators Susan C. Tucker and James E. Timilty to the Madeline Amy Sweeney Award for Civilian Bravery Committee,— **was placed on file.**

#### *Petitions.*

Petitions were presented and referred as follows:

By Mr. Moore, a petition (accompanied by bill, Senate, No. 2252) of Richard T. Moore and John V. Fernandes (by vote of the town) for legislation to exempt Jonathan M. Robertson from the maximum age requirements for applying for civil service appointment as firefighter in the town of Milford [Local approval received];

By the same Senator, a petition (accompanied by bill, Senate, No. 2253) of Richard T. Moore and John V. Fernandes (by vote of the town) for legislation to exempt Antonio F. Dinis from the maximum age requirements for applying for civil service appointment as police officer in the town of Milford [Local approval received]; and

By the same Senator, a petition (accompanied by bill, Senate, No. 2254) of Richard T. Moore and John V. Fernandes (by vote of the town) for legislation to exempt Alcino Fernandes from the maximum age requirements for applying for civil service appointment as police officer in the town of Milford [Local approval received];

**Severally, under Senate Rule 20, to the committee on Public Service.**

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

#### **PAPER FROM THE HOUSE.**

A Bill regulating preliminary elections in the city of Woburn (House, No. 3973,— on petition) [Local approval received],— **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

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

*Communication.*

The Clerk read the following communication:

COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS SENATE  
STATE HOUSE, BOSTON 02133-0153

*June 1, 2007.*

Senator Therese Murray  
Senate President  
Room 330, State House  
Boston, MA 02133

Dear Senate President Murray:

It is with both great joy and sorrow that I write today. Effective July 5, 2007, I will officially be resigning my Senatorial office of the Middlesex, Suffolk, and Essex district.

My time in the Legislature has been a rewarding experience and I am honored to have served within this august body.

*Sincerely,*  
JARRETT T. BARRIOS, Senator,  
*Middlesex, Suffolk and Essex District.*

On motion of Mr. Brewer, the above communication was ordered printed in the Journal of the Senate.

*Resolutions.*

The following resolutions (having been filed with the Clerk) were considered forthwith and adopted, as follows:—  
Resolutions (filed by Ms. Wilkerson) “congratulating the Greater Boston Chinese Golden Age Center on its 35th anniversary.”

*Orders of the Day.*

The Orders of the Day were considered, as follows:

The Senate Bill to prohibit internet hunting (Senate, No. 860),— **was read a second time and ordered to a third reading.**

The Senate Bill authorizing the Springfield Water and Sewer Commission to convey certain land (Senate, No. 1169),— **was read a second time and ordered to a third reading.**

**The rules were suspended, on motion of Mr. Buoniconti, and the bill was read a third time and passed to be engrossed. Sent to the House for concurrence.**

The Senate Bill authorizing the town of Lunenburg to exchange certain land (Senate, No. 1145),— **was read a third time and passed to be engrossed.**

**Sent to the House for concurrence.**

The House bills

Authorizing the transfer of certain land to the city of Boston (House, No. 53);

Authorizing the town of North Reading to convey and acquire land (House, No. 1954); and

Authorizing the town of North Reading to convey and acquire land (House, No. 1955);

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

The Senate Bill relative to pension divestment (Senate, No. 2255),— **was read a third time.**

**Pending the question on passing the bill to be engrossed, on motion of Mr. Panagiotakos, the bill was recommitted to the Senate committee on Ways and Means.**

*Report of a Committee.*

By Mr. Panagiotakos, for the committee on Ways and Means, that the recommitted Senate Bill relative to pension divestment (Senate, No. 2255),— **ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2217.**

**There being no objection, the rules were suspended, on motion of the same Senator.**

**After remarks and pending the question on acceptance of the Ways and Means report, Mr. Tisei moved that the matter**

**be laid upon the table; and, in accordance with the provisions of Senate Rule 24, the motion to lay on the table was placed in the Orders of the Day for the next session.**

*Order Adopted.*

On motion of Mr. Berry,—

*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.

*Moment of Silence.*

At the request of the President, the members, guests and employees stood in a moment of silence and reflection to the memory of the crew of the Army PFC Matthew Bean of Pembroke.

*Adjournment in Memory of Army PFC Matthew Bean of Pembroke.*

The Senator from Plymouth and Barnstable, Ms. Murray, presented a request that when the Senate adjourns today, it do so in memory of Army PFC Matthew Bean of Pembroke.

Army Private First Class Matthew Bean, a 22-year-old constituent of the Senate President from Pembroke, died from wounds he suffered on May 19th, 2007. He was a member of the Army's 10th Mountain Division that began a search for three missing United States' soldiers in the Sunni Triangle region of Iraq.

This tragedy is certainly not the first to hit Pembroke. Marine First Lieutenant Brian McPhillips was killed in central Iraq in April 2003. McPhillips was the South Shore's first casualty.

Two months after McPhillips was killed, Matthew Bean graduated from Silver Lake Regional High School in Kingston. Throughout high school, Matthew displayed an interest in horticulture, receiving straight A's. He worked part-time at the local landscaping company "Down to Earth" to save money for a pick-up truck.

He enlisted in the Army around Christmas in 2005 and left for training a month later at Fort Drum, NY, where he was assigned to the 10th Mountain Division. Matthew's strong devotion to duty was apparent to anyone who knew him. Most recently, Matthew was able to come home on leave to spend Thanksgiving with his friends and family.

Private Bean is survived by his fiance, his parents and step-parents, three siblings, and countless family and friends. Matthew was an honorable young man who made his parents proud. As his father described him, "Matthew was a proud American, he wanted to serve God and Country, he believed in what he was doing".

Our hearts and prayers are with Matthew's family, and all the mothers and fathers in the Commonwealth who have had to bear such grief over the duration of this war.

The Chair asks members to join in a moment of silence in memory Army Private First Class Matthew Bean of Pembroke, Massachusetts.

Accordingly, as a mark of respect to the memory of Army PFC Matthew Bean of Pembroke, at ten minutes past three o'clock P.M., on motion of Mr. Brewer, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.