

MAINE STATE LEGISLATURE

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like to me that it has a mandate. I am not positive about that. I cannot find the L.D. in the book. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Dill.

Senator **DILL:** Thank you Mr. President. Men and women of the Senate, I do have the amendment in front of me. It is my belief that if we are telling municipalities that they have to have this procedure if they don't already have it in their charter then that is a mandate. If you are a resident of a town or city and you don't have a recall process in your charter then you will now. You will have to abide by it. If it is not a mandate, then I don't know what is. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Thomas.

Senator **THOMAS:** Thank you Mr. President. Maybe I need to catch my breath from running up and down stairs. This bill is not a mandate. This bill allows a procedure that towns can exercise or not exercise, for towns that do not have a charter now to have a method to remove an official that commits a felony against a town. If you have a town without a charter, and they have an elected official that commits a felony, that does not want to resign or that does not want to step down, there is no procedure to remove them if they do not want to be removed. What this does is it allows a process for those towns that do not have a charter so if they find themselves in that situation there is a remedy and there is a method to remove this official if they choose. I don't see how that is a mandate, because a town could choose not to. They could choose to keep a bookkeeper or a town clerk that stole hundreds of thousands of dollars I suppose. For those towns that don't have any method to remove those officials, this now provides them with an option. It was very carefully crafted, very narrowly crafted, by the committee. This was a unanimous vote by the committee, as I remember it, and it just provides an opportunity, Mr. President, to remove those people who have committed crimes against their municipality.

At the request of Senator **TRAHAN** of Lincoln, Reports **READ**.

On motion by Senator **SCHNEIDER** of Penobscot, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

THE PRESIDENT: The pending question before the Senate is Passage to be Engrossed. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#188)

YEAS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, DIAMOND, FARNHAM, GERZOFKY, HASTINGS, HOBBS, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, TRAHAN, WHITTEMORE, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

NAYS: Senators: BARTLETT, CRAVEN, DILL, HILL, JACKSON, SCHNEIDER

EXCUSED: Senator: GOODALL

28 Senators having voted in the affirmative and 6 Senators having voted in the negative, with 1 Senator being excused, the Bill was **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Chair laid before the Senate the following Tabled and Later (6/3/11) Assigned matter:

An Act To Provide the Department of Environmental Protection with Regulatory Flexibility Regarding the Listing of Priority Chemicals

H.P. 841 L.D. 1129
(C "A" H-421)

Tabled - June 3, 2011, by Senator **COURTNEY** of York

Pending - **ENACTMENT**, in concurrence

(In Senate, June 1, 2011, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-421)**, in concurrence.)

(In House, June 3, 2011, **PASSED TO BE ENACTED**.)

On motion by Senator **SAVIELLO** of Franklin, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Saviello.

Senator **SAVIELLO:** Thank you Mr. President. Men and women of the Senate, my good friend, the Senator from Sagadahoc, Senator Goodall, is not here today, but I need to talk about him and the great work that he did with my good friend Representative Hamper, and my good friends Ben Gillman and Mike Bellevue. As you know, this bill came to us a couple years ago. Those of us who have been here before remember. It passed very significantly at the very end of the legislative session. Of course no one wanted to go home to tell people, the voters, they voted against kids and protecting children. However, the bill was very broad very, very broad. In fact, it was so broad that we identified 1,400 chemicals, including birth control pills and a number of

other pills, and other things such as gasoline and cocaine that children shouldn't be exposed to. The bill needed to be reworked. The Senator from Sagadahoc, Senator Goodall, my good friend, put in a bill that would help narrow that down. My good friend, Representative Hamper, put in a similar bill to narrow it down. We had a hearing and the room was packed. At the end of the hearing I looked at the two of them and I said, "Okay guys, you have to solve this problem. It is not my problem it's yours."

This also goes back to what we used to deal with as the chemical of the day. We always had chemicals we were dealing with, whether it would be flame retardants, or this term it's cadmium. We always had something in there. This act was put into place to stop that. We had a procedure. Those two gentlemen, along with my good friends Mr. Gilman and Mr. Bellevue, got together. As I used to joke, I put them in a room, gave them a lot of coffee, and locked the door. I said, "Solve the problem" and they did. They got in and got various groups that were representing the chemical companies. Then they got in the various groups representing the environmental organizations. Then they asked them to leave and they worked the bill out. What you have in front of you is a true bi-partisan effort that protects children. When the Senator from Sagadahoc, Senator Goodall, gets back I hope we all congratulate him. When you see Representative Hamper and the other two individuals I speak of thank them. We have done the job. The committee voted unanimously. This is a good bill and I thank them for their efforts. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Alfond.

Senator **ALFOND:** Thank you Mr. President. Ladies and gentlemen of the Senate, I want to thank the good Senator from Franklin for making those very nice comments around the Senator from Sagadahoc, Senator Goodall. I know that he is very, very touched by the Senator from Franklin holding these bills and for the words that he knew were going to be said today was a very classy action. The whole Body thanks you.

Senator **SULLIVAN** of York was granted unanimous consent to address the Senate off the Record.

THE PRESIDENT: The pending question before the Senate is Enactment. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#189)

YEAS: Senators: ALFOND, BARTLETT, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GERZOFISKY, HASTINGS, HILL, HOBBS, JACKSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, TRAHAN, WHITTEMORE, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

NAYS: Senators: None

EXCUSED: Senator: GOODALL

34 Senators having voted in the affirmative and No Senator having voted in the negative, with 1 Senator being excused, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Off Record Remarks

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

SENATE REPORT - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Resolve, To Reduce Funding to Maine Clean Election Act Candidates

S.P. 215 L.D. 726

Reported - **Ought to Pass as Amended by Committee Amendment "A" (S-253)**

Tabled - June 7, 2011, by Senator **ALFOND** of Cumberland

Pending - **ACCEPTANCE OF REPORT**

(In Senate, June 7, 2011, Report **READ**.)

Report **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-253) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Ordered sent down forthwith for concurrence.

The Chair noted the absence of the Senator from Aroostook, Senator **JACKSON** and further excused the same Senator from today's Roll Call votes.