

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Fifth
Legislature***

OF THE

STATE OF MAINE

Volume III

June 16, 1971 to June 24, 1971

Index

1st Special Session

January 24, 1972 to March 10, 1972

Index

**KENNEBEC JOURNAL
AUGUSTA, MAINE**

SENATE

Monday, February 14, 1972

Senate called to order by the
Prayer by The Honorable

Bennett D. Katz of Augusta.

Reading of the Journal of
yesterday.

Committee Reports**Senate****Divided Report**

The Majority of the Committee
on Health and Institutional Ser-
vices on, Bill, "An Act to Include
Fees as Local Funds in the Com-
munity Mental Health Grant-in-aid
Program." (S. P. 695) (L. D. 1876)

Reported that the same Ought
Not to Pass.

Signed:

Senators:

HICHENS of York
GREELEY of Waldo
MINKOWSKY

of Androscoggin

Representatives:

CUMMINGS of Newport
BERRY of Madison
DYAR of Strong
CLEMENTE of Portland
LEWIS of Bristol
DOYLE of Bangor

The Minority of the same
Committee on the same subject
matter reported that the same
Ought to Pass.

Signed:

Representatives:

DOYLE of Bangor
SANTORO of Portland

Which reports were Read.

The PRESIDENT: The Chair
recognizes the Senator from
Kennebec, Senator Katz.

Mr. KATZ of Kennebec: Mr.
President, purely because of pride
of authorship, I wonder whether
some member of the committee
would explain to me the thinking
behind the committee's majority
report.

At the time I agreed to sponsor
this bill I felt that there was a
general encouragement to com-
munity health centers to charge
fees where fees could be paid
within the ability of those
benefitting to pay them. I wonder
if somebody could respond to me.

The PRESIDENT: The Chair

recognizes the Senator from
Androscoggin, Senator Minkowsky.

Mr. MINKOWSKY of
Androscoggin: Mr. President and
Members of the Senate: Very
briefly, the committee felt at the
time that this was another one of
these department bills insofar as
further manipulating of funds is
concerned. Also the only objective
of this particular bill was to make
it mandatory or compulsory that
a local health agency charge fees,
even to the people who are not
of sufficient ability to meet the
fees. In our estimation, it was not
a necessity during the special ses-
sion, and I think this is why we
overwhelmingly voted for the
report as it is stated at the present
time.

The PRESIDENT: The Chair
recognizes the Senator from
Kennebec, Senator Katz.

Thereupon, on motion by Mr.
Katz of Kennebec, tabled until
later in today's session, pending
acceptance of either report.

Second Readers

The Committee on Bills in the
Second Reading reported the
following:

House

Bill, "An Act Appropriating
Funds to Survey the Boundaries
of Passamaquoddy Tribal Lands."
(H. P. 1452) (L. D. 1895)

Resolve, in Favor of Town of
Limestone for Apportionment of
Telephone Tax. (H. P. 1454) (L.
D. 1897)

Resolve, Providing for Purchase
of Copies of Cyr Plantation
Centennial. (H. P. 1456) (L. D.
1899)

Resolve, Discharging Plantation
of Baring from Indebtedness to the
State for Use of School Bus in 1961-
62 Prior to Incorporation as a
Plantation. (H. P. 1457) (L. D.
1900)

Which were Read a Second Time
and Passed to be Engrossed in
concurrence.

House — As Amended

Bill, "An Act Authorizing the
Supreme Judicial Court to Provide
for Juries of Fewer than 12." (H.
P. 1478) (L. D. 1921)

Which was Read a Second Time and Passed to be Engrossed, as Amended, in concurrence.

Orders of the Day

The President laid before the Senate the first tabled and specially assigned matter:

Bill, "An Act Relating to Housing and Food Supplies Furnished by State Departments." (H. P. 1504) (L. D. 1946)

Tabled — February 10, 1972 by Senator Johnson of Somerset.

Pending — Adoption of Senate Amendment "A" Filing S-339.

Thereupon, Senate Amendment "A" was Adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate the second tabled and specially assigned matter:

Bill, "An Act Relating to Municipal Finance." (S. P. 700) (L. D. 1881)

Tabled — February 10, 1972 by Senator Minkowsky of Androscoggin.

Pending — Enactment.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Mr. MINKOWSKY of Androscoggin: Mr. President and Members of the Senate: This particular bill, as you may recall, I questioned, and I got a ruling from the Attorney General's office that there was a portion that was really not clear in its language. I then spoke to the sponsor of the bill, Senator Clifford, as well as the people from the Maine Municipal Association, and they all concur that with the new amendment, which we have to submit today, it puts the bill in better form and clarifies the bill itself.

Basically, the only thing the amendment says is "for a particular project." The other bill in its original draft did not specify that the federal or state moneys had to be used for a particular project.

So, Mr. President and Members of the Senate, under suspension of the rules, I ask the Senate to reconsider engrossing this bill.

The PRESIDENT: The Senator from Androscoggin, Senator Minkowsky, moves that under suspension of the rules the Senate reconsider its action whereby Bill, "An Act Relating to Municipal Finance", was passed to be engrossed. Is this the pleasure of the Senate?

The motion prevailed.

The same Senator then presented Senate Amendment "A" and moved its adoption.

Senate Amendment "A", Filing No. S-342 was Read and Adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate the third tabled and specially assigned matter:

Bill, "An Act Relating to Use of Drugs on Animals at Agricultural Fairs." (H. P. 1569) (L. D. 2025)

Tabled — February 11, 1972 by Senator Chick of Kennebec.

Pending — Passage to be Engrossed.

Mr. Chick of Kennebec then presented Senate Amendment "A" and moved its Adoption.

Senate Amendment "A", Filing No. S-340, was Read.

The PRESIDENT: The Senator has the floor.

Mr. CHICK of Kennebec: Mr. President and Members of the Senate: The Attorney General's Office called our attention to a few changes which he thought would be better language in the bill. There is no substantial change in the bill except the clarification which was pointed out by the Attorney General's Office.

Thereupon, Senate Amendment "A" was Adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate the fourth tabled and specially assigned matter:

Bill, "An Act Authorizing Oakfield to Withdraw from the Four Corners Elementary Community School District." (H. P. 1568) (L. D. 2023)

Tabled — February 11, 1972 by Senator Katz of Kennebec.

Pending — Passage to be Engrossed.

Mr. Katz of Kennebec then presented Senate Amendment "A" and moved its Adoption.

Senate Amendment "A", Filing No. S-341, was Read.

The PRESIDENT: The Senator has the floor.

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: Last week the Senate voted to permit Oakfield to withdraw from this district, and the purpose of this amendment is to clarify the position of the three remaining communities. This amendment in no way jeopardizes the action of the Senate last week.

Thereupon, Senate Amendment "A" was Adopted, and the Bill,

as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate the matter tabled earlier in today's session by Mr. Katz of Kennebec: Bill, "An Act to Include Fees as Local Funds in the Community Mental Health Grant-in-aid Program," (S. P. 695) (L. D. 1876), Pending Acceptance of Either Committee Report.

Thereupon, on motion by Mr. Minkowsky of Androscoggin, retabled and Tomorrow Assigned, pending Acceptance of Either Report.

(Off Record Remarks)

On motion by Mr. Hoffses of Knox,

Adjourned until 9:30 o'clock tomorrow morning.