One Hundred and Twenty-Eighth Legislature
Second Regular Session

Advance Journal and Calendar

7th Legislative Day

In Senate Chamber, Thursday, January 25, 2018.

Senate called to Order by President Michael D. Thibodeau of Waldo County.

Prayer by Reverend Mark Wilson, First Congregational Church, UCC, in Waterville.

Pledge of Allegiance led by Senator James M. Hamper of Oxford County.


Doctor of the day, Cynthia A. Self, M.D. of Bangor.

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Michael D. Thibodeau
Senate President

Heather J.R. Priest
Secretary of the Senate

http://legislature.maine.gov/senate

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Out of order and under suspension of the Rules, on motion by Senator MASON of Androscoggin, the following Joint Order:

S.P. 675

Ordered, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, January 30, 2018 at 10:00 in the morning.

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PAPERS FROM THE HOUSE

Pursuant to Statute
Criminal Law Advisory Commission

(1-1) Report of the Criminal Law Advisory Commission, pursuant to the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asks leave to report that the accompanying Bill "An Act To Amend the Maine Criminal Code and Related Statutes as Recommended by the Criminal Law Advisory Commission" (EMERGENCY)

H.P. 1239  L.D. 1795

Be REFERRED to the Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY and ordered printed pursuant to Joint Rule 218.

 Comes from the House, Report READ and ACCEPTED, and the Bill REFERRED to the Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY and ordered printed pursuant to Joint Rule 218.

_________________________________
Pursuant to Statute
ConnectME Authority

(1-2) Report of the ConnectME Authority, pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 101: ConnectME Authority, a Major Substantive Rule of the ConnectME Authority (EMERGENCY)

H.P. 1243  L.D. 1798

Be REFERRED to the Committee on ENERGY, UTILITIES AND TECHNOLOGY and ordered printed pursuant to Joint Rule 218.

Comes from the House, Report READ and ACCEPTED, and the Resolve REFERRED to the Committee on ENERGY, UTILITIES AND TECHNOLOGY and ordered printed pursuant to Joint Rule 218.

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Pursuant to Statute
Public Utilities Commission

(1-3) Report of the Public Utilities Commission, pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 308: Standards of Conduct for Transmission and Distribution Utilities and Affiliated Generators, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)

H.P. 1244  L.D. 1799

Be REFERRED to the Committee on ENERGY, UTILITIES AND TECHNOLOGY and ordered printed pursuant to Joint Rule 218.

Comes from the House, Report READ and ACCEPTED, and the Resolve REFERRED to the Committee on ENERGY, UTILITIES AND TECHNOLOGY and ordered printed pursuant to Joint Rule 218.

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Pursuant to Statute
Department of Environmental Protection

(1-4) Report of the Department of Environmental Protection, pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 418: Maine Solid Waste Management Rules: Beneficial Use of Solid Wastes, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

H.P. 1242  L.D. 1797

Be REFERRED to the Committee on ENVIRONMENT AND NATURAL RESOURCES and ordered printed pursuant to Joint Rule 218.

Comes from the House, Report READ and ACCEPTED, and the Resolve REFERRED to the Committee on ENVIRONMENT AND NATURAL RESOURCES and ordered printed pursuant to Joint Rule 218.

Pursuant to Statute
Department of Health and Human Services

(1-5) Report of the Department of Health and Human Services, pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

H.P. 1245  L.D. 1800

Be REFERRED to the Committee on HEALTH AND HUMAN SERVICES and ordered printed pursuant to Joint Rule 218.

Comes from the House, Report READ and ACCEPTED, and the Resolve REFERRED to the Committee on HEALTH AND HUMAN SERVICES and ordered printed pursuant to Joint Rule 218.
Pursuant to Statute  
Department of Health and Human Services  

(1-6) Report of the Department of Health and Human Services, pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 21, Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)  
H.P. 1246  L.D. 1801  

Be REFERRED to the Committee on HEALTH AND HUMAN SERVICES and ordered printed pursuant to Joint Rule 218.  

Comes from the House, Report READ and ACCEPTED, and the Resolve REFERRED to the Committee on HEALTH AND HUMAN SERVICES and ordered printed pursuant to Joint Rule 218.  

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Pursuant to Statute  
Commission on Governmental Ethics and Election Practices  

(1-7) Report of the Commission on Governmental Ethics and Election Practices, pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 3: Maine Clean Election Act and Related Provisions, a Major Substantive Rule of the Commission on Governmental Ethics and Election Practices (EMERGENCY)  
H.P. 1247  L.D. 1802  

Be REFERRED to the Committee on VETERANS AND LEGAL AFFAIRS and ordered printed pursuant to Joint Rule 218.  

Comes from the House, Report READ and ACCEPTED, and the Resolve REFERRED to the Committee on VETERANS AND LEGAL AFFAIRS and ordered printed pursuant to Joint Rule 218.  

________________________________
Pursuant to Statute
Gambling Control Board

(1-8) Report of the Gambling Control Board, pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 28: Advanced Deposit Wagering, a Major Substantive Rule of the Gambling Control Board (EMERGENCY)

H.P. 1248  L.D. 1803

Be REFERRED to the Committee on VETERANS AND LEGAL AFFAIRS and ordered printed pursuant to Joint Rule 218.

Comes from the House, Report READ and ACCEPTED, and the Resolve REFERRED to the Committee on VETERANS AND LEGAL AFFAIRS and ordered printed pursuant to Joint Rule 218.

Joint Order

(1-9) The following Joint Order:

H.P. 1241

ORDERED, the Senate concurring, that the Joint Standing Committee on Health and Human Services shall report out, to the House, a bill regarding recent rules adopted pursuant to the Maine Medical Use of Marijuana Act.

Comes from the House, READ and PASSED.

Joint Resolution

Joint Resolution in Memoriam:

WHEREAS, the Legislature has learned with deep regret of the death of:

(1-10) Suzanne Kneeland Grover, of Norway. Mrs. Grover was a founder of Grover Gindrilling, Inc., Oxford Casino and The Boxberry School. Her philanthropic endeavors included the Oxford Hills Food Pantry, Oxford County Fair, 4-H Youth Development Program, University of Maine System and Friends of the Blaine House. She was also very involved in the Maine Republican Party. Mrs. Grover will be long remembered and sadly missed by her family and friends and all those whose lives she touched;

HLS 851

Comes from the House READ and ADOPTED.
The Honorable Michael D. Thibodeau  
President of the Senate of Maine  
128th Maine State Legislature  
State House  
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Environment and Natural Resources has had under consideration the nomination of Mark P. Dubois of Falmouth, for appointment to the Board of Environmental Protection.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS Senators 2 Saviello of Franklin, Volk of Cumberland  
Representatives 8 Tucker of Brunswick, Campbell of Orrington, Duchesne of Hudson, Fay of Raymond, Kinney of Limington, Martin of Eagle Lake, Pierce of Dresden, Strom of Pittsfield

NAYS Senators 1 Gratwick of Penobscot  
Representatives 2 Harlow of Portland, Zeigler of Montville

ABSENT 0

Ten members of the Committee having voted in the affirmative and three in the negative, it was the vote of the Committee that the nomination of Mark P. Dubois of Falmouth, for appointment to the Board of Environmental Protection be confirmed.

Signed,

S/Thomas B. Saviello  
Senate Chair

S/Ralph L. Tucker  
House Chair

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STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

January 24, 2018

The Honorable Michael D. Thibodeau
President of the Senate of Maine
128th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Environment and Natural Resources has had under consideration the nomination of Susan M. Lessard of Belfast, for appointment to the Board of Environmental Protection.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS Senators 2 Saviello of Franklin, Gratwick of Penobscot
Representatives 10 Tucker of Brunswick, Campbell of Orrington, Duchesne of Hudson, Fay of Raymond, Harlow of Portland, Kinney of Limington, Martin of Eagle Lake, Pierce of Dresden, Strom of Pittsfield, Zeigler of Montville

NAYS 0

ABSENT 1 Sen. Volk of Cumberland

Twelve members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Susan M. Lessard of Belfast, for appointment to the Board of Environmental Protection be confirmed.

Signed,

S/Thomas B. Saviello S/Ralph L. Tucker
Senate Chair House Chair
The Following Communication:

S.C. 781

STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON MARINE RESOURCES

January 17, 2018

The Honorable Michael D. Thibodeau
President of the Senate of Maine
128th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Marine Resources has had under consideration the nomination of Matthew E. Moretti of Cape Elizabeth, for appointment to the Marine Resources Advisory Council.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS Senators 2 Maker of Washington, Vitelli of Sagadahoc
Representatives 8 Kumiega of Deer Isle, Alley of Beals, Blume of York, Devin of Newcastle, Hawke of Boothbay Harbor, Simmons of Waldoboro, Sutton of Warren, Tuell of East Machias

NAYS 0


Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Matthew E. Moretti of Cape Elizabeth, for appointment to the Marine Resources Advisory Council be confirmed.

Signed,

S/Joyce A. Maker  S/Walter A. Kumiega
Senate Chair  House Chair
The Following Communication:

S.C. 780

STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON MARINE RESOURCES

January 17, 2018

The Honorable Michael D. Thibodeau
President of the Senate of Maine
128th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Marine Resources has had under consideration the nomination of Peter C. Mourmouras of Biddeford, for appointment to the Marine Resources Advisory Council.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS  Senators  2  Maker of Washington, Vitelli of Sagadahoc

Representatives  8  Kumiega of Deer Isle, Alley of Beals, Blume of York, Devin of Newcastle, Hawke of Boothbay Harbor, Simmons of Waldoboro, Sutton of Warren, Tuell of East Machias

NAYS  0


Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Peter C. Mourmouras of Biddeford, for appointment to the Marine Resources Advisory Council be confirmed.

Signed,

S/Joyce A. Maker  S/Walter A. Kumiega
Senate Chair  House Chair
January 23, 2018

The Honorable Mike Thibodeau
President of the Senate
3 State House Station
Augusta ME 04333

The Honorable Sara Gideon
Speaker of the House of Representatives
2 State House Station
Augusta, ME 04333

Dear President Thibodeau and Speaker Gideon:

I thank you for the invitation to deliver the State of the State address at a Joint Session of the 128th Maine Legislature on Tuesday, February 13, 2018 at 7:00 p.m.

Please know that I accept your invitation and look forward to seeing you at that time.

Sincerely,

S/Paul R. LePage
Governor
January 23, 2018

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating Julie A. Jordan of Baileyville for appointment to the Washington County Development Authority.

Pursuant to Title 5, MRSA §13083-C, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor
January 23, 2018

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating Ronald A. McAlpine of Crawford for appointment to the Washington County Development Authority.

Pursuant to Title 5, MRSA §13083-C, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor
(2-8) The Following Communication:

S.C. 785

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE

January 23, 2018

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating Renee E. Gray of Addison for appointment to the Washington County Development Authority.

Pursuant to Title 5, MRSA §13083-C, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor
January 23, 2018

The Honorable Michael Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating Lewis M. Pinkham of Milbridge for reappointment to the Washington County Development Authority.

Pursuant to Title 5, MRSA §13083-C, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor
January 22, 2018

The Honorable Sara Gideon
Speaker of the House
State House Station
Augusta, ME 04333-0002

The Honorable Michael D. Thibodeau
President of the Senate
State House Station
Augusta, ME 04333-0003

Dear Speaker Gideon and President Thibodeau:

Pursuant to 5 M.R.S.A., Section 12023, the Maine Port Authority is pleased to submit the following report to the Legislature, due by February 1, 2018.

Please contact me if you have any questions or need additional information.

Sincerely,

S/Matthew Burns
Interim Executive Director
January 22, 2018

Honorable Michael D. Thibodeau, President of the Senate
Honorable Sara Gideon, Speaker of the House
128th Legislature
State House
Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Criminal Justice and Public Safety has voted unanimously to report the following bill(s) out "Ought Not to Pass":

- **L.D. 861** An Act To Provide Wage Parity for Certain State Law Enforcement Personnel
- **L.D. 1146** Resolve, To Provide Wage Parity for Law Enforcement Officers in the Department of Corrections with Other Law Enforcement Officers
- **L.D. 1183** An Act To Expand Use of Electronic Monitoring in Domestic Violence, Sexual Assault and Stalking Cases

This is notification of the Committee’s action.

Sincerely,

Senate Chair                        House Chair
January 19, 2018

Honorable Michael D. Thibodeau, President of the Senate
Honorable Sara Gideon, Speaker of the House
128th Legislature
State House
Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Education and Cultural Affairs has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 1749 An Act To Shorten the Residency Requirements for In-state Tuition

This is notification of the Committee’s action.

Sincerely,

S/Sen. Brian D. Langley
Senate Chair

S/Rep. Tori P. Kornfield
House Chair
STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON INLAND FISHERIES AND WILDLIFE

January 16, 2018

Honorable Michael D. Thibodeau, President of the Senate
Honorable Sara Gideon, Speaker of the House
128th Legislature
State House
Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Inland Fisheries and Wildlife has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 1451 An Act To Promote Biosecurity and Better Regulate the Importation, Possession and Use of Aquatic Species

This is notification of the Committee’s action.

Sincerely,

Senate Chair House Chair
(3-1) Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell, Lease or Convey the Interests of the State in Certain Real Property Located in Augusta, Bangor, Bucksport, Limestone, Brookton Township, Penobscot County Unorganized Territory and Rockwood Strip Township

S.P. 673  L.D. 1804

Presented by Senator DAVIS of Piscataquis.
Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 203.

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

(3-2) Bill "An Act To Amend the Maine Tax Laws"

S.P. 676  L.D. 1805

Presented by Senator DOW of Lincoln.
Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 203.

Committee on **TAXATION** suggested and ordered printed.
ORDERS

Joint Resolution

(4-1) On motion by Senator VITELLI of Sagadahoc (Cosponsored by Senator: JACKSON of Aroostook), the following Joint Resolution:

S.P. 674

STATE OF MAINE

_____
IN THE YEAR OF OUR LORD
TWO THOUSAND AND EIGHTEEN

_____

JOINT RESOLUTION RECOGNIZING JANUARY 26TH AS EITC AWARENESS DAY

WHEREAS, in order to promote the federal and Maine state earned income tax credit, which enhances family household budgets, we recognize January 26, 2018 as EITC Awareness Day; and

WHEREAS, 4 of 5 people eligible for the credit claim it, which demonstrates the importance of raising awareness of this credit and urging individuals to find out if they qualify for it; and

WHEREAS, throughout the State, IRS-certified volunteer tax preparers who are members of CA$H Maine and AARP Tax-Aide, a collaboration of 10 statewide coalitions including 50 nonprofit and for-profit partners, provide free federal and state tax preparation; and

WHEREAS, since 2003, CA$H Maine has also educated hard-working families and individuals about programs in the community that can increase their income, reduce debt and build savings; and

WHEREAS, in 2017, these volunteers helped Maine residents save more than $3,300,000 in tax filing fees and claim over $4,700,000 in earned income tax credits, returning over $20,500,000 to Maine residents in federal income tax refunds; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize January 26, 2018 as EITC Awareness Day; and be it further

RESOLVED: That we send our appreciation to all the volunteers who participate in EITC Awareness Day for the benefit of Maine citizens and we urge participation in this worthy cause.
REPORTS OF COMMITTEES

House

Pursuant to Statute

(5-1) The Committee on TAXATION on Bill "An Act To Improve the Effectiveness of the New Markets Capital Investment Credit"

H.P. 1240  L.D. 1796

Reported that the same be REFERRED to the Committee on TAXATION, pursuant to the Maine Revised Statutes, Title 3, section 999, subsection 4.

Comes from the House with the Report READ and ACCEPTED and the Bill REFERRED to the Committee on TAXATION.

Ought to Pass

(5-2) The Committee on ENVIRONMENT AND NATURAL RESOURCES on Resolve, Regarding Legislative Review of Portions of Chapter 502: Direct Watersheds of Lakes Most at Risk from New Development, Urban Impaired Streams, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

H.P. 1162  L.D. 1674

Reported that the same Ought to Pass.

Comes from the House with the Report READ and ACCEPTED and theResolve PASSED TO BE ENGROSSED.

(5-3) The Committee on INSURANCE AND FINANCIAL SERVICES on Bill "An Act Regarding the Information Required of Debt Buyers for Debt Collection"

H.P. 1165  L.D. 1677

Reported that the same Ought to Pass.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.

(5-4) The Committee on MARINE RESOURCES on Bill "An Act To Amend Maine's Marine Resources Laws Regarding Certain License Fees and Surcharges That Were Amended by Recently Enacted Legislation"

H.P. 1144  L.D. 1659

Reported that the same Ought to Pass.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.
Ought to Pass As Amended

(5-5) The Committee on TRANSPORTATION on Bill "An Act To Amend the Laws Governing Temporary Sign Usage"

H.P. 165  L.D. 209

Reported that the same Ought to Pass as Amended by Committee Amendment "B" (H-573).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-573).

SECOND READERS

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

Senate

(6-1) Bill "An Act To Improve the Regulation of Debt Collectors"

S.P. 613  L.D. 1663

(6-2) Resolve, To Designate a Bridge in Surry the Old Surry Schoolhouse Bridge

S.P. 626  L.D. 1727

ORDERS OF THE DAY

SPECIAL STUDY TABLE

1.

Emergency

Resolve, To Establish the Study Committee To Develop a Disposition Plan for Future Surplus State Property in York County

H.P. 723  L.D. 1021
(C "A" H-67)

Tabled - May 9, 2017, by Senator CUSHING of Penobscot

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