One Hundred and Twenty-Eighth Legislature
Second Regular Session

Advance Journal and Calendar

32nd Legislative Day

In Senate Chamber, Tuesday, April 10, 2018.

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

Prayer by Pastor Rob Richards, Fellowship Baptist Church in Augusta.

Pledge of Allegiance led by Senator Eloise A. Vitelli of Sagadahoc County.

Reading of the Journal of Monday, April 9, 2018.

Doctor of the day, Stephen Sears, M.D., of Belgrade.

______________________________
Michael D. Thibodeau
Senate President

Heather J.R. Priest
Secretary of the Senate

http://legislature.maine.gov/senate

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PAPERS FROM THE HOUSE
Non-Concurrent Matter

(1-1) SENATE REPORTS - from the Committee on ENERGY, UTILITIES AND TECHNOLOGY on Bill "An Act To Authorize the Public Utilities Commission To Determine the Amount of the E-9-1-1 Surcharge"

S.P. 615  L.D. 1671
(C "A" S-436)

Majority - Ought Not to Pass (7 members)

Minority - Ought to Pass as Amended by Committee Amendment "A" (S-436) (6 members)

In Senate, April 5, 2018, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-436).

Comes from the House, the Majority OUGHT NOT TO PASS Report READ and ACCEPTED in NON-CONCURRENCE.

COMMUNICATIONS

(2-1) The Following Communication:

S.C. 978

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

April 5, 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 Judiciary has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 934  An Act To Establish an Expedited Temporary Guardianship Process

L.D. 969  An Act Regarding Nonprobate Transfers on Death

This is notification of the Committee’s action.

Sincerely,

Senate Chair  House Chair
REPORTS OF COMMITTEES

House

Ought to Pass As Amended

(5-1) The Committee on HEALTH AND HUMAN SERVICES on Resolve, To Increase Access to Evidence-based Psychosocial Treatment for Children in the MaineCare Program

H.P. 630  L.D. 902

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-726).

Comes from the House with the Report READ and ACCEPTED and the Resolve PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-726).

(5-2) The Committee on JUDICIARY on Bill "An Act To Amend the Child Protective Services Statutes"

H.P. 824  L.D. 1187

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-724).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-724).

(5-3) The Committee on TRANSPORTATION on Resolve, To Provide Funding for a Pilot Project To Evaluate and Address the Transportation Needs of Maine's Veterans

H.P. 1318  L.D. 1886

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-725).

Comes from the House with the Report READ and ACCEPTED and the Resolve PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-725).
Divided Report

(5-4) The Majority of the Committee on EDUCATION AND CULTURAL AFFAIRS on Bill "An Act To Establish Alternative Pathways to the Completion of Secondary School Mathematics Requirements"

H.P. 1177  L.D. 1697

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-731).

Signed:

Senators:
  LANGLEY of Hancock
  MAKER of Washington
  MILLETT of Cumberland

Representatives:
  KORNFIELD of Bangor
  DAUROUGHTRY of Brunswick
  FARNSWORTH of Portland
  FULLER of Lewiston
  GINZLER of Bridgton
  McCREA of Fort Fairfield
  PIERCE of Falmouth
  SAMPSON of Alfred
  STEWART of Presque Isle

The Minority of the same Committee on the same subject reported that the same Ought Not To Pass.

Signed:

Representative:
  TURNER of Burlington

Comes from the House with the Majority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-731).
Divided Report

(5-5) The Majority of the Committee on ENERGY, UTILITIES AND TECHNOLOGY on Bill "An Act To Enable Municipalities Working with Utilities To Establish Microgrids" H.P. 190  L.D. 257

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-720).**

Signed:

Senators:
   WOODSOME of York
   DION of Cumberland

Representatives:
   BERRY of Bowdoinham
   COOPER of Yarmouth
   DeCHANT of Bath
   RILEY of Jay
   RYKERS0N of Kittery
   SANBORN of Portland

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass.**

Signed:

Senator:
   CUSHING of Penobscot

Representatives:
   HANLEY of Pittston
   HARVELL of Farmington
   O'CONNOR of Berwick
   WADSWORTH of Hiram

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-720).**
Divided Report

(5-6) The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Increase Funding for Evidence-based Therapies for Treating Emotional and Behavioral Problems in Children (EMERGENCY)

H.P. 1304  L.D. 1868

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-729)**.

Signed:

Senators:

BRAKEY of Androscoggin
CHIPMAN of Cumberland

Representatives:

HYMANSON of York
CHACE of Durham
DENNO of Cumberland
MADIGAN of Waterville
MALABY of Hancock
McCREIGHT of Harpswell
PARKER of South Berwick
PERRY of Calais

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-730)**.

Signed:

Senator:

HAMPER of Oxford

Representatives:

HEAD of Bethel
SANDERSON of Chelsea

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-729)** Report READ and ACCEPTED and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-729)**.
(5-7) The Majority of the Committee on JUDICIARY on Bill "An Act Concerning Remote Participation in Public Proceedings" H.P. 1273  L.D. 1831

Reported that the same Ought Not to Pass.

Signed:

Senators:
    KEIM of Oxford
    HILL of York
    WHITTEMORE of Somerset

Representatives:
    MOONEN of Portland
    BABBIDGE of Kennebunk
    BAILEY of Saco
    BRADSTREET of Vassalboro
    CARDONE of Bangor
    McCREIGHT of Harpswell
    RECKITT of South Portland

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

Signed:

Representatives:
    GUERIN of Glenburn
    JOHANSEN of Monticello
    SHERMAN of Hodgdon

Comes from the House with the Majority OUGHT NOT TO PASS Report READ and ACCEPTED.
(5-8) The Majority of the Committee on **JUDICIARY** on Bill "An Act To Implement Recommendations of the Right To Know Advisory Committee Concerning Remote Participation"

H.P. 1274  L.D. 1832

Reported that the same **Ought Not to Pass**.

Signed:

Senators:
   KEIM of Oxford
   HILL of York
   WHITTEMORE of Somerset

Representatives:
   MOONEN of Portland
   BRADSTREET of Vassalboro
   CARDONE of Bangor
   GUERIN of Glenburn
   JOHANSEN of Monticello
   McCREIGHT of Harpswell
   RECKITT of South Portland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-735)**.

Signed:

Representatives:
   BABBIDGE of Kennebunk
   BAILEY of Saco
   SHERMAN of Hodgdon

Comes from the House with the Majority **OUIGHT NOT TO PASS** Report **READ** and **ACCEPTED**.
(5-9) The Majority of the Committee on JUDICIARY on Bill "An Act To Facilitate Compliance with Federal Immigration Law by State and Local Government Entities"

H.P. 1275  L.D. 1833

Reported that the same Ought Not to Pass.

Signed:

Senator:
    HILL of York

Representatives:
    MOONEN of Portland
    BABBIDGE of Kennebunk
    BAILEY of Saco
    CARDONE of Bangor
    McCREIGHT of Harpswell
    RECKITT of South Portland

The Minority of the same Committee on the same subject reported that the same Ought To Pass as Amended by Committee Amendment "A" (H-723).

Signed:

Senators:
    KEIM of Oxford
    WHITTEMORE of Somerset

Representatives:
    BRADSTREET of Vassalboro
    GUERIN of Glenburn
    JOHANSEN of Monticello
    SHERMAN of Hodgdon

Comes from the House with the Majority OUGHT NOT TO PASS Report READ and ACCEPTED.
Divided Report

(5-10) Seven members of the Committee on HEALTH AND HUMAN SERVICES on Resolve, To Support Home Health Services
Reported in Report "A" that the same Ought to Pass as Amended by Committee Amendment "A" (H-727).

Signed:

Senator:
CHIPMAN of Cumberland

Representatives:
HYMANSO of York
DENNO of Cumberland
MADIGAN of Waterville
McCREIGHT of Harpswell
PARKER of South Berwick
PERRY of Calais

Five members of the same Committee on the same subject reported in Report "B" that the same Ought Not to Pass.

Signed:

Senators:
BRAKEY of Androscoggin
HAMPER of Oxford

Representatives:
CHACE of Durham
HEAD of Bethel
SANDERSON of Chelsea

One member of the same Committee on the same subject reported in Report "C" that the same Ought to Pass as Amended by Committee Amendment "B" (H-728).

Signed:

Representative:
MALABY of Hancock

Comes from the House with Report "A" OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-727) READ and ACCEPTED and the Resolve PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-727).
(5-11) The Majority of the Committee on INSURANCE AND FINANCIAL SERVICES on Bill "An Act To Amend the Workers' Compensation Laws Governing Affiliated Self-insurance Groups"

S.P. 721  L.D. 1888

Reported that the same **Ought to Pass**.

Signed:

Senators:

   WHITTEMORE of Somerset
   CARSON of Cumberland
   DOW of Lincoln

Representatives:

   LAWRENCE of Eliot
   BROOKS of Lewiston
   COLLINGS of Portland
   CRAIG of Brewer
   FOLEY of Wells
   PICCHIOTTI of Fairfield
   PRESCOTT of Waterboro
   SANBORN of Portland
   WALLACE of Dexter

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Representative:

   MELARAGNO of Auburn
Divided Report

(5-12) Eight members of the Committee on AGRICULTURE, CONSERVATION AND FORESTRY on Bill "An Act To Provide the State the Right of First Refusal for the Purchase of Certain Land on Which a Subsidy Has Been Paid"

S.P. 698  L.D. 1844

Reported in Report "A" that the same Ought to Pass as Amended by Committee Amendment "A" (S-447).

Signed:

Senators:
    DAVIS of Piscataquis
    DILL of Penobscot
    SAVIELLO of Franklin

Representatives:
    DUNPHY of Old Town
    HIGGINS of Dover-Foxcroft
    MARTIN of Sinclair
    McELWEE of Caribou
    O'NEIL of Saco

Four members of the same Committee on the same subject reported in Report "B" that the same Ought Not to Pass.

Signed:

Representatives:
    BLACK of Wilton
    CHAPMAN of Brooksville
    KINNEY of Knox
    SKOLFIELD of Weld

One member of the same Committee on the same subject reported in Report "C" that the same Ought to Pass as Amended by Committee Amendment "B" (S-448).

Signed:

Representative:
    ACKLEY of Monmouth
The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

Emergency Measure

(7-1) An Act To Develop a Statewide Resource and Referral Center and Develop Hub-and-spoke Models To Improve Access, Treatment and Recovery for Those with Substance Use Disorder

H.P. 984  L.D. 1430
(C "A" H-715)

Mandate

(7-2) An Act Regarding Persons with Mental Illness and Substance Use Disorders in Jails and Correctional Facilities

H.P. 679  L.D. 966
(S "A" S-441 to C "A" H-700)

Acts

(7-3) An Act To Amend the Maine Tax Laws

S.P. 676  L.D. 1805
(C "A" S-439)

(7-4) An Act To Expand and Clarify the Areas Subject to Municipal Residency Restrictions for Sex Offenders

H.P. 1309  L.D. 1877
(C "A" H-709)
ORDERS OF THE DAY

Unfinished Business

The following matters in the consideration of which the Senate was engaged at the time of Adjournment have preference in the Orders of the Day and continue with such preference until disposed of as provided by Senate Rule 516.

1.

Tabled and Later Assigned

JOINT ORDER - Expression of Legislative Sentiment Recognizing Elwood Edgerly, Chris Maas and Lesley Fernow, all of Dover-Foxcroft

SLS 768

Tabled - March 27, 2018 by Senator DAVIS of Piscataquis

Pending - PASSAGE

2.

Tabled and Later Assigned

SENATE REPORTS - from the Committee on INSURANCE AND FINANCIAL SERVICES on Bill "An Act To Establish a Student Loan Bill of Rights To License and Regulate Student Loan Servicers"

S.P. 532  L.D. 1507
(C "A" S-188; C "B" S-405)

Majority - Ought to Pass as Amended by Committee Amendment "B" (S-405) (12 members)

Minority - Ought Not to Pass (1 member)

Tabled - March 27, 2018 by Senator WHITTEMORE of Somerset

Pending - ACCEPTANCE OF EITHER REPORT
3. **Tabled and Later Assigned**

JOINT ORDER - Expression of Legislative Sentiment Recognizing Jon James, of China  
SLS 779

Tabled - March 28, 2018 by Senator **KATZ** of Kennebec

Pending - **PASSAGE**


4. **Tabled and Later Assigned**

An Act To Require Education and Training Regarding Harassment for Legislators, Legislative Staff and Lobbyists  
S.P. 695 L.D. 1842  
(C "A" S-387)

Tabled - March 28, 2018 by Senator **LIBBY** of Androscoggin

Pending - **ENACTMENT**

(In House, **PASSED TO BE ENACTED**.)


5. **Tabled and Later Assigned**

JOINT ORDER - Expression of Legislative Sentiment Recognizing Julius Eugene Ciembroniewicz, of Winthrop  
HLS 1005

Tabled - March 29, 2018 by Senator **KATZ** of Kennebec

Pending - **ADOPTION**

(In House, **READ and ADOPTED**.)
6.

Tabled and Later Assigned

Bill "An Act Regarding Energy Costs"

H.P. 1328  L.D. 1895

Tabled - April 3, 2018 by Senator WOODSOME of York

Pending - REFERENCE

(In House, REFERRED to the Committee on ENERGY, UTILITIES AND TECHNOLOGY and ordered printed.)

7.

Tabled and Later Assigned

HOUSE REPORTS - from the Committee on LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT on Bill "An Act To Provide Economic Security to Maine Families through the Creation of a Paid Family Medical Leave System"

H.P. 1091  L.D. 1587

(C "A" H-699)

Majority - Ought to Pass as Amended by Committee Amendment "A" (H-699) (8 members)

Minority - Ought Not to Pass (5 members)

Tabled - April 3, 2018 by Senator VOLK of Cumberland

Pending - ACCEPTANCE OF EITHER REPORT

(In House, Majority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-699).)
8.  
Tabled and Later Assigned

HOUSE REPORTS - from the Committee on HEALTH AND HUMAN SERVICES on Bill "An Act To Protect Substance-exposed Infants"

H.P. 746  L.D. 1063  
(C "B" H-678)

Majority - Ought to Pass as Amended by Committee Amendment "B" (H-678) (8 members)

Minority - Ought Not to Pass (5 members)

Tabled - April 4, 2018 by Senator BRAKEY of Androscoggin

Pending - ACCEPTANCE OF EITHER REPORT

(In House, Majority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-678).)


9.  
Tabled and Later Assigned

SENATE REPORT - from the Committee on TAXATION on Bill "An Act To Clarify the Sales Tax Exemption for Vehicles Used in Interstate or Foreign Commerce"

S.P. 633  L.D. 1734

Report - Ought to Pass as Amended by Committee Amendment "A" (S-438)

Tabled - April 4, 2018 by Senator DOW of Lincoln

Pending - ACCEPTANCE OF REPORT
10. Tabled and Later Assigned

SENATE REPORTS - from the Committee on ENERGY, UTILITIES AND TECHNOLOGY on Bill "An Act To Control Electricity Transmission Costs through the Development of Nontransmission Alternatives"

S.P. 516  L.D. 1487
(C "A" S-435)

Majority - Ought to Pass as Amended by Committee Amendment "A" (S-435) (7 members)

Minority - Ought Not to Pass (3 members)

Tabled - April 4, 2018 by Senator WOODSOME of York

Pending - ACCEPTANCE OF EITHER REPORT

11. Tabled and Later Assigned

HOUSE REPORT - from the Committee on TAXATION on Bill "An Act To Require Room Remarketers and Operators of Transient Rental Platforms To Be Registered for the Collection and Reporting of Sales Taxes"

H.P. 1201  L.D. 1721

Report - Ought to Pass as Amended by Committee Amendment "A" (H-711)

Tabled - April 5, 2018 by Senator DOW of Lincoln

Pending - ACCEPTANCE OF REPORT

(In House, Report READ and ACCEPTED and Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-711).)
12. Tabled and Later Assigned

Bill "An Act To Establish Universal Home Care for Seniors and Persons with Disabilities"
I.B. 3  L.D. 1864

Tabled - April 9, 2018 by Senator COLLINS of York
Pending - FURTHER CONSIDERATION

(In Senate, April 2, 2018, REFERRED to the Committee on TAXATION in NON-CONCURRENCE.)

(In House, House INSISTED on its former action whereby the Bill and accompanying papers were INDEFINITELY POSTPONED.)

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13. Tabled and Later Assigned

HOUSE REPORT - from the Committee on TAXATION on Bill "An Act To Replace the Educational Opportunity Tax Credit with the Student Loan Repayment Credit for Maine Residents"
H.P. 1057  L.D. 1537

Report - Ought to Pass as Amended by Committee Amendment "A" (H-710)

Tabled - April 9, 2018 by Senator VOLK of Cumberland
Pending - ACCEPTANCE OF REPORT

(In House, Report READ and ACCEPTED and Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-710) AND HOUSE AMENDMENT "A" (H-721).)
14. Tabled and Later Assigned

SENATE REPORT - from the Committee on HEALTH AND HUMAN SERVICES on Bill "An Act To Amend the Maine Medical Use of Marijuana Act"

S.P. 84  L.D. 238

Report - Ought to Pass as Amended by Committee Amendment "A" (S-443)

Tabled - April 9, 2018 by Senator VOLK of Cumberland

Pending - ACCEPTANCE OF REPORT

15. Tabled and Later Assigned

HOUSE REPORTS - from the Committee on TAXATION on Bill "An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2018-19" (EMERGENCY)

H.P. 1297  L.D. 1862
(C "A" H-712)

Majority - Ought to Pass as Amended by Committee Amendment "A" (H-712) (10 members)

Minority - Ought to Pass as Amended by Committee Amendment "B" (H-713) (3 members)

Tabled - April 9, 2018 by Senator VOLK of Cumberland

Pending - PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-712)

(In House, Majority OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-712) Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-712).)
16.

Tabled and Later Assigned

SENATE REPORTS - from the Committee on HEALTH AND HUMAN SERVICES on Bill "An Act To Strengthen Requirements for Water Testing for Schools" (EMERGENCY)
S.P. 20  L.D. 40
(C "A" S-406)

Majority - Ought to Pass as Amended by Committee Amendment "A" (S-406) (9 members)

Minority - Ought Not to Pass (4 members)

Tabled - April 9, 2018 by Senator VOLK of Cumberland

Pending - motion by Senator BRAKEY of Androscoggin to ACCEPT the Minority OUGHT NOT TO PASS Report

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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

Pending - FINAL PASSAGE

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2.

JOINT ORDER - Establishing the Task Force To Study Rising Transmission and Distribution Costs

H.P. 1320

Tabled - March 29, 2018 by Senator **JACKSON** of Aroostook

Pending - **PASSAGE**

3.

Resolve, Establishing the Commission To Study the Economic, Environmental and Energy Benefits of Energy Storage to the Maine Electricity Industry

S.P. 640  L.D. 1741
(C "A" S-373; S "A" S-402)

Tabled - March 29, 2018 by Senator **VOLK** of Cumberland

Pending - **FINAL PASSAGE**
**SPECIAL APPROPRIATIONS TABLE**

<table>
<thead>
<tr>
<th>L.D.</th>
<th>H.P.</th>
<th>(C &quot;A&quot; H-451)</th>
</tr>
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<tbody>
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<td>L.D. 8</td>
<td>H.P. 9</td>
<td>(C &quot;A&quot; H-451)</td>
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<th>L.D. 20</th>
<th>H.P. 21</th>
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<td>L.D. 27</td>
<td>H.P. 28</td>
<td>(C &quot;A&quot; H-100)</td>
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<th>H.P. 35</th>
<th>(C &quot;A&quot; H-497)</th>
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<td>L.D. 59</td>
<td>H.P. 46</td>
<td>(C &quot;A&quot; H-168)</td>
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<th>S.P. 28</th>
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<td>S.P. 34</td>
<td>(C &quot;A&quot; H-11)</td>
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<th>H.P. 73</th>
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<td>H.P. 74</td>
<td>(C &quot;A&quot; H-245)</td>
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<td>H.P. 130</td>
<td>(C &quot;A&quot; H-374)</td>
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<td>L.D. 197</td>
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<td>H.P. 200</td>
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<td>H.P. 207</td>
<td>(C &quot;A&quot; H-786)</td>
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**SPECIAL HIGHWAY TABLE**

| L.D. 1685 | S.P. 621 | (C "A" S-348) |