15th Legislative Day

In Senate Chamber, Tuesday, February 19, 2019.

Senate called to Order by President Troy D. Jackson of Aroostook County.

Prayer by Pastor Brian Kline, Lighthouse Baptist Church in Farmingdale.

Pledge of Allegiance led by Senator Kimberley C. Rosen of Hancock County.


Doctor of the day, Sam Zager, M.D. of Portland.
(1-1) Bill "An Act To Set Case Load Standards for the Office of Child and Family Services"
H.P. 595  L.D. 821

Comes from the House, REFERRED to the Committee on HEALTH AND HUMAN SERVICES and ordered printed.

(1-2) Bill "An Act Regarding the Placement of Campaign Signs"
H.P. 601  L.D. 827

Committee on VETERANS AND LEGAL AFFAIRS suggested and ordered printed.

Comes from the House, REFERRED to the Committee on TRANSPORTATION.

Joint Orders

Expressions of Legislative Sentiment recognizing:

(1-3) the Gardiner Area High School Varsity Field Hockey Team, which won the Class B State Championship. Members of the team include Haley Brann, Madelin Walker, Sarah Foust, Aimee Adams, Jazmin Clary, Kristen Ladner, Maddie Farnham, Piper Lavoie, Amanda Cameron, Maggie Bell, Jillian Bisson, Lindsey Bell, Willow Lavoie, Lani Porter and Alyssa Gould; assistant coach Kristen Collins; and head coach Sharon Gallant. We extend our congratulations and best wishes;  
HLS 64

(1-4) the Marshwood High School Football Team, of South Berwick, which won the 2018 Class B State Championship. This is the team's 20th championship. We extend our congratulations and best wishes;  
HLS 65
Allen Chartier, of Mexico, a captain of the Mexico Fire Department, who has been named the 2018 George Downs Memorial Firefighter of the Year. We extend our congratulations and best wishes; HLS 66

Pinnacle Health and Rehab, of Canton, which received the Eli Pick Facility Leadership Award from the American College of Health Care Administrators, a distinction given to only seven percent of skilled nursing facilities nationwide. We extend our congratulations and best wishes; HLS 67

Androscoggin Home Healthcare and Hospice, in Norway, which has been named the Oxford Hills Chamber of Commerce Business of the Year. We extend our congratulations and best wishes; HLS 68

Barry E. Pottle, of Hermon, President and Chief Executive Officer of Pottle's Transportation, who has been named the 74th Chairman of the American Trucking Associations. In addition to his previous service as the First Vice Chairman of American Trucking Associations, Mr. Pottle has served as the chairman of Truck PAC, the Maine Motor Transport Association and the Truckload Carriers Association. We extend our congratulations and best wishes; HLS 69

Tina Salzarulo, of Surry, who has received the Boston Post Cane, an honor given to the oldest citizen of a municipality. We extend our congratulations and best wishes; HLS 70

Jacob Hobson, of Buxton, a member of Boy Scout Troop No. 349, who has attained the high rank and distinction of Eagle Scout. This is the highest award in Boy Scouting and is given for excellence in skills development, leadership, personal growth and community service. We extend our congratulations and best wishes; HLS 71

Cyndi Robbins, of Poland, Innkeeper of Poland Spring Resort, who has been presented with the Oxford Hills Chamber of Commerce Suzanne Grover Community Service Award. We extend our congratulations and best wishes; HLS 73

Come from the House, READ and PASSED.
Joint Resolutions

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

(1-12) Peter F. Miesburger, of Caribou. Mr. Miesburger was a veteran of the United States Air Force, retiring as a Master Sergeant with many years of active duty service in aircraft crash rescue and firefighting services, as chief of the Fire Protection Branch at several air bases in France, England and Alaska and as a Fire Protection Advisor assigned to Headquarters, Republic of Korea Air Force. After retiring, he was employed by the United States Air Force as Fire Chief at Loring Air Force Base and Hanscom Air Force Base, as well as Fire Station Attendant for the Town of Limestone. In the 1990s, he owned a successful fire prevention and safety business throughout Aroostook County. He was a life member of Lister-Knowlton VFW Post 9389, American Legion Post 15, VFW National Home, the Air Force Association, the Vietnam Veterans of America and Disabled American Veterans. He was a member of the Military Order of the Cootie and of the Korean Service Veterans' Association. He was a past Commander of the Department of Maine VFW, National VFW Chief of Staff, past Commander District One, Department of Maine VFW, Post Commander VFW Post 9389 for 5 terms and Quartermaster of VFW Post 9389. He was a founding father of the Northern Maine Veterans Cemetery in Caribou and a member of the Board of Trustees of Maine Veterans' Homes. He was known as an advocate for veterans' rights and entitlements, not only throughout the State but nationwide. Mr. Miesburger will be long remembered and sadly missed by his wife of over 50 years, Jean, by his family and friends and by all those whose lives he touched;

HLS 63

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

(1-13) Robert Arthur Brown, of Hanover. Mr. Brown was a veteran of the United States Army, having served during the Korean War. He had a lifelong career in timber harvesting and land management, incorporating both traditional logging practices using horses as his partners as well as modern machinery. His Plumbago Mountain Farm was the gateway to the famous Newry Quarries Complex, which he acquired and where he conducted exploratory mining for many years. Mr. Brown will be long remembered and sadly missed by his family and friends;

HLS 72

Come from the House READ and ADOPTED.
COM Memorial 2-2019

COMMUNICATIONS

(2-1) The Following Communication:  

S.C. 138

STATE OF MAINE  
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE  
COMMITTEE ON AGRICULTURE CONSERVATION AND FORESTRY

February 14, 2019

The Honorable Troy Dale Jackson  
President of the Senate of Maine  
129th 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 Agriculture Conservation and Forestry has had under consideration the nomination of Amanda Eleanor Beal of Warren, for appointment as the Commissioner of the Department of Agriculture, Conservation and Forestry.

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:

<table>
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<tr>
<th>YEAS</th>
<th>Senators</th>
<th>3</th>
<th>Dill, J. of Penobscot, Black, R. of Franklin, Diamond, B. of Cumberland</th>
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<tr>
<td>NAYS</td>
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<tr>
<td>ABSENT</td>
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<td>Rep. McCrea, D. of Fort Fairfield</td>
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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 Amanda Eleanor Beal of Warren, for appointment as the Commissioner of the Department of Agriculture, Conservation and Forestry be confirmed.

Signed,

S/Jim Dill  
Senate Chair  

__________________________________________  
S/Craig V. Hickman  
House Chair
February 11, 2019

Honorable Troy Dale Jackson, President of the Senate
Honorable Sara Gideon, Speaker of the House
129th Legislature
State House
Augusta, Maine 04333

Dear President Jackson and Speaker Gideon:

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

L.D. 191 An Act To Protect Heating Fuel Customers Who Close Their Accounts

This is notification of the Committee’s action.

Sincerely,

S/Sen. Erin Herbig
Senate Chair

S/Rep. Matthea Elisabeth Larsen-Daughtry
House Chair
The Following Communication:

S.C. 139

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

February 7, 2019

Honorable Troy Dale Jackson, President of the Senate
Honorable Sara Gideon, Speaker of the House
129th Legislature
State House
Augusta, Maine 04333

Dear President Jackson 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. 9 An Act To Increase Juror Compensation

This is notification of the Committee’s action.

Sincerely,

Senate Chair House Chair

SENATE PAPERS

(3-1) Bill "An Act To Require the Labeling of Foods Made with Nanotechnology"
S.P. 255 L.D. 889

Presented by Senator CHIPMAN of Cumberland. (BY REQUEST)

Committee on AGRICULTURE, CONSERVATION AND FORESTRY suggested and ordered printed.
Presented by Senator BREEN of Cumberland.
Cosponsored by Representative COREY of Windham and Senators: BLACK of Franklin,
CARPENTER of Aroostook, CARSON of Cumberland, CHENETTE of York, CHIPMAN of
Cumberland, CLAXTON of Androscoggin, CYRWAY of Kennebec, DESCHAMBAULT of
York, DIAMOND of Cumberland, DILL of Penobscot, FARRIN of Somerset, FOLEY of York,
GRATWICK of Penobscot, HERBING of Waldo, President JACKSON of Aroostook,
LAWRENCE of York, LUCHINI of Hancock, MILLETT of Cumberland, MIRAMANT of
Knox, POULIOT of Kennebec, SANBORN, H. of Cumberland, SANBORN, L. of Cumberland,
VITELLI of Sagadahoc, WOODSOME of York, Representatives: ALLEY of Beals, AUSTIN of
Skowhegan, AUSTIN of Gray, BABBIDGE of Kennebunk, BABINE of Scarborough, BAILEY
of Saco, BEEBE-CENTER of Rockland, BLIER of Buxton, BLUME of York, BRENNAN of
Portland, BROOKS of Lewiston, BRYANT of Windham, CAIAZZO of Scarborough,
CARDONE of Bangor, CARNEY of Cape Elizabeth, COLLINGS of Portland, COOPER of
Yarmouth, CRAVEN of Lewiston, DAUGHTRY of Brunswick, DENK of Kennebunk, DODGE
of Belfast, DOORE of Augusta, DOUDERA of Camden, DUNPHY of Old Town,
EVANGELOS of Friendship, FARNSWORTH of Portland, FAY of Raymond, FECTEAU of
Biddeford, FOLEY of Biddeford, GATTINE of Westbrook, GRAMLICH of Old Orchard Beach,
GROHOSKI of Ellsworth, HANDY of Lewiston, HARNETT of Gardiner, HARRINGTON of
Sanford, HEPLER of Woolwich, HICKMAN of Winthrop, HIGGINS of Dover-Foxcroft,
HOBBS of Wells, INGWERSEN of Arundel, JORGENSEN of Portland, KESCHL of Belgrade,
KINNEY of Knox, LANDRY of Farmington, LYFORD of Eddington, MARTIN of Eagle Lake,
MARTIN of Sinclair, MARTIN of Greene, MASTRACCIO of Sanford, MATLACK of St.
George, MAXMIN of Nobleboro, McCREA of Fort Fairfield, McCREIGHT of Harpswell,
McDONALD of Stonington, MEYER of Eliot, MOONEN of Portland, MORALES of South
Portland, MORRIS of Turner, O'NEIL of Saco, PEBWORTH of Blue Hill, PEOPLES of
Westbrook, PERRY of Calais, PIERCE of Falmouth, PLUECKER of Warren, RECKITT of
South Portland, ROBERTS-LOVELL of South Berwick, RYKERSON of Kittery, SCHNECK of
Bangor, SKOLFIELD of Weld, STANLEY of Medway, STEARNS of Guilford, STOVER of
Boothbay, TALBOT ROSS of Portland, TEPLER of Topsham, TERRY of Gorham, TUCKER of
Brunswick, TUELL of East Machias, WARREN of Hallowell, ZEIGLER of Montville.

Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS suggested and ordered
printed.
(3-3) Bill "An Act To Protect the Public from Clergy Sexual Abuse"
S.P. 267 L.D. 913

Presented by Senator DESCHAMBAULT of York. (BY REQUEST)

Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY suggested and ordered printed.

(3-4) Bill "An Act To Provide for a Professional Wage and Support for New Educators"
S.P. 264 L.D. 898

Presented by Senator MILLETT of Cumberland.
Cosponsored by Representative McCREA of Fort Fairfield and Senators: BREEN of Cumberland, CARPENTER of Aroostook, CLAXTON of Androscoggin, SANBORN, L. of Cumberland, VITELLI of Sagadahoc, Representatives: DODGE of Belfast, PIERCE of Falmouth.

Committee on EDUCATION AND CULTURAL AFFAIRS suggested and ordered printed.

(3-5) Bill "An Act To Establish the Wood Energy Investment Program"
S.P. 266 L.D. 912

Presented by President JACKSON of Aroostook.

Committee on ENERGY, UTILITIES AND TECHNOLOGY suggested and ordered printed.
(3-6) Bill "An Act To Create an Updated Unified Maine Climate Action Plan"
S.P. 259  L.D. 893

Presented by Senator DILL of Penobscot.
Cosponsored by Representative DUNPHY of Old Town and Senators: BLACK of Franklin,
GRATWICK of Penobscot, VITELLI of Sagadahoc, Representatives: FECTEAU of Biddeford,
O'NEIL of Saco, STANLEY of Medway.

Committee on ENVIRONMENT AND NATURAL RESOURCES suggested and ordered printed.

(3-7) Bill "An Act To Provide Adequate Reimbursement under MaineCare for Ambulance and
Neonatal Transport Services"
S.P. 269  L.D. 915

Presented by President JACKSON of Aroostook.
Cosponsored by Representative DILLINGHAM of Oxford and Senators: CLAXTON of
Androscoggin, KEIM of Oxford, MOORE of Washington, Representatives: KESCHL of
Belgrade, MARTIN of Eagle Lake, MARTIN of Sinclair, PERRY of Calais.

Committee on HEALTH AND HUMAN SERVICES suggested and ordered printed.

(3-8) Bill "An Act To Preserve Maine's Heritage by Expanding Maine Youth Hunting"
S.P. 257  L.D. 891

Presented by Senator KEIM of Oxford.
Cosponsored by Senator: DAVIS of Piscataquis, Representatives: DRINKWATER of Milford,
MASON of Lisbon.

Committee on INLAND FISHERIES AND WILDLIFE suggested and ordered printed.
(3-9) Bill "An Act To Expand Workforce Access by Creating Apprenticeship Programs To Increase Access to Licensure in Certain Occupations"

Presented by Senator KEIM of Oxford.
Cosponsored by Representative DAUGTHRY of Brunswick and Senators: DESCHAMBAULT of York, FARRIN of Somerset, GUERIN of Penobscot, HERBIG of Waldo.

S.P. 256  L.D. 890

(3-10) Bill "An Act To Promote Economic Development through Research and Development"

Presented by Senator LAWRENCE of York.
Cosponsored by Representative TIPPING of Orono and Senators: DILL of Penobscot, HERBIG of Waldo.

S.P. 261  L.D. 895

(3-11) Resolve, Directing the Department of Professional and Financial Regulation To Study a Voluntary Licensing System for General Contractors for Home Improvement and Construction

Presented by Senator CHENETTE of York.
Cosponsored by Representative CAIAZZO of Scarborough and Representative: GRAMLICH of Old Orchard Beach.

S.P. 262  L.D. 896

(3-12) Bill "An Act To Restore Funding for the Capital Riverfront Improvement District"

Presented by Senator POULIOT of Kennebec.
Cosponsored by Representative DOORE of Augusta and Representative: BRADSTREET of Vassalboro.

S.P. 263  L.D. 897

Committee on INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS suggested and ordered printed.

(3-13) Bill "An Act To Expressly Allow Nonprofit Corporations To Conduct Electronic Voting"

Presented by Senator GRATWICK of Penobscot.
Cosponsored by Representative PICKETT of Dixfield and Senators: CARPENTER of Aroostook, CYRWAY of Kennebec, DAVIS of Piscataquis, President JACKSON of Aroostook, TIMBERLAKE of Androscoggin, Representatives: HUBBELL of Bar Harbor, MORALES of South Portland, STEWART of Presque Isle.

S.P. 260  L.D. 894

Committee on JUDICIARY suggested and ordered printed.
(3-14)  Bill "An Act To Enhance the Recruitment and Retention of Marine Patrol Sergeants"
S.P. 268  L.D. 914

Presented by Senator DESCHAMBAULT of York.
Cosponsored by Representative TUELL of East Machias and Senators: MIRAMANT of Knox,
VITELLI of Sagadahoc, Representatives: ALLEY of Beals, BLUME of York, McCREIGHT of
Harpwell, McDONALD of Stonington, WARREN of Hallowell.

Committee on **MARINE RESOURCES** suggested and ordered printed.

(3-15)  Bill "An Act To Exempt MaineCare Appendix C Private Nonmedical Institutions from
the Service Provider Tax"
S.P. 258  L.D. 892

Presented by Senator VITELLI of Sagadahoc.
Cosponsored by Representative DOUDERA of Camden, Representative McCREIGHT of
Harpwell and Senators: CHIPMAN of Cumberland, GRATWICK of Penobscot, SANBORN, H.
of Cumberland, Representatives: MAREAN of Hollis, STEWART of Presque Isle.

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

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**ORDERS**

**Joint Orders**

Expressions of Legislative Sentiment recognizing:

(4-1) the Honorable Michael Cantara, of Biddeford, who is retiring as a judge of the District
Court after many years of public service. Judge Cantara was an Assistant District Attorney in
York County in 1984, Mayor of Biddeford in 1988, District Attorney in York County from 1991
to 2003, Commissioner of Public Safety from 2003 to 2007 and a District Court Judge from 2007
to the present. His prosecutorial and judicial careers have been marked by a commitment to
treating all who came before him with fairness and respect. He has been a champion of justice
and safety for victims of domestic violence and their children and a leader in that area of
jurisprudence in the State. We extend our congratulations and best wishes;

SLS 87

Sponsored by Senator DESCHAMBAULT of York.
Cosponsored by Representatives: DENK of Kennebunk, FECTEAU of Biddeford, FOLEY of
Biddeford, RECKITT of South Portland.
(4-2) Quincy Hentzel, of Cape Elizabeth, Chief Executive Officer of the Portland Regional Chamber of Commerce, who has received the 2019 Junior League of Portland, Maine Award for her strong engagement within the league and her contributions in the greater Portland Area through her professional career and community service. We extend our congratulations and best wishes;

SLS 88

Sponsored by Senator MILLETT of Cumberland.
Cosponsored by Representatives: CARNEY of Cape Elizabeth, KESSLER of South Portland.

REPORTS OF COMMITTEES

House

Ought to Pass

(5-1) The Committee on TRANSPORTATION on Resolve, To Name a Bridge in the Town of Lincoln and the Town of Chester the Master Sergeant Gary Gordon Bridge

H.P. 8  L.D. 7

Reported that the same Ought to Pass.

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

(5-2) The Committee on TRANSPORTATION on Resolve, Designating a Portion of Route 1 in Downeast Maine the Hannah and Rebecca Weston Trail

H.P. 18  L.D. 17

Reported that the same Ought to Pass.

Comes from the House with the Report READ and ACCEPTED and the Resolve PASSED TO BE ENGROSSED.
(5-3) The Committee on TRANSPORTATION on Resolve, Naming a Highway and Renaming a Bridge in the Town of Whiting

H.P. 33  L.D. 32

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

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

(5-4) The Committee on TRANSPORTATION on Resolve, To Name the Bridge on Main Street in the Town of Orono the Brandon M. Silk Memorial Bridge

H.P. 163  L.D. 200

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED**.
(5-5) The Majority of the Committee on HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES on Bill "An Act To Provide Relief to Federal Employees Affected by the Federal Shutdown" (EMERGENCY)

S.P. 141  L.D. 477

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-1).

Signed:

Senators:
  SANBORN, H. of Cumberland
  FOLEY of York
  GRATWICK of Penobscot

Representatives:
  TEPLER of Topsham
  BLIER of Buxton
  BRENNAN of Portland
  BROOKS of Lewiston
  FOLEY of Biddeford
  MASTRACCIO of Sanford
  MELARAGNO of Auburn
  PRESKOTT of Waterboro

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

Signed:

Representatives:
  MORRIS of Turner
  SWALLO of Houlton
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

Bill "An Act To Amend the Laws Governing Car Seats"  
S.P. 44  L.D. 157

Tabled - January 17, 2019 by Senator DIAMOND of Cumberland

Pending - REFERENCE

(Committee on TRANSPORTATION suggested and ordered printed.)

2.

Tabled and Later Assigned

Bill "An Act To Sustain Maine's Forest Products Industry by Implementing Certain Existing Solid Waste Management Policies"  
S.P. 96  L.D. 356

Tabled - January 24, 2019 by Senator DILL of Penobscot

Pending - REFERENCE

(Committee on AGRICULTURE, CONSERVATION AND FORESTRY suggested and ordered printed.)

3.

Tabled and Later Assigned

Bill "An Act To Ensure the Integrity and Accountability of Persons Who Are Elected to Public Office"  
S.P. 131  L.D. 453

Tabled - January 29, 2019 by Senator LUCHINI of Hancock

Pending - REFERENCE

(Committee on VETERANS AND LEGAL AFFAIRS suggested and ordered printed.)
4. Tabled and Later Assigned

JOINT ORDER - Expression of Legislative Sentiment Recognizing Lieutenant Robert N. Nichols, of Eliot

Tabled - February 5, 2019 by Senator LAWRENCE of York

Pending - PASSAGE

5. Tabled and Later Assigned

Bill "An Act To Create an Airplane Mechanic Education Program"

Tabled - February 7, 2019 by Senator MILLETT of Cumberland

Pending - REFERENCE

(Committee on EDUCATION AND CULTURAL AFFAIRS suggested and ordered printed.)

(In House, REFERRED to the Committee on INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS.)

6. Tabled and Later Assigned

Resolve, Directing the Board of Pesticides Control To Educate the Public on the Proper Use of Pesticides and To Promote Integrated Pest Management

Tabled - February 12, 2019 by Senator DILL of Penobscot

Pending - REFERENCE

(Committee on AGRICULTURE, CONSERVATION AND FORESTRY suggested and ordered printed.)
7. Tabled and Later Assigned

JOINT RESOLUTION - Memorializing John Menario, of Yarmouth

Tabled - February 12, 2019 by Senator SANBORN, H. of Cumberland

Pending - ADOPTION

8. Tabled and Later Assigned

Bill "An Act To Change the Allocation Formula for Revenue from Slot Machines"

Tabled - February 12, 2019 by Senator LUCHINI of Hancock

Pending - REFERENCE

(Committee on VETERANS AND LEGAL AFFAIRS suggested and ordered printed.)

9. Tabled and Later Assigned

SENATE REPORT - from the Committee on ENERGY, UTILITIES AND TECHNOLOGY on Bill "An Act Regarding Rules Adopted by the ConnectME Authority"

Report - Ought to Pass

Tabled - February 14, 2019 by Senator LAWRENCE of York

Pending - ACCEPTANCE OF REPORT