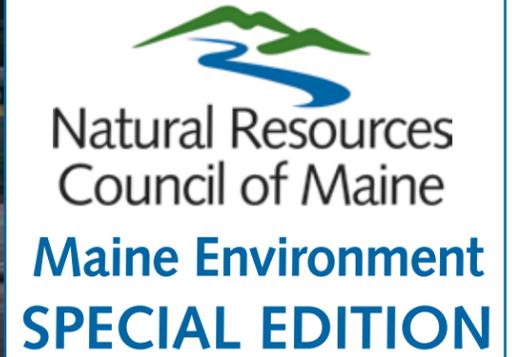




Join Us for Citizen Action Day Tuesday, March 1!



# 2016 LEGISLATIVE PRIORITIES for Maine's Environment

The 2016 legislative session is off to a fast start, and we've already secured a big victory. Within days of returning to Augusta in early January, lawmakers in both the House and Senate unanimously reauthorized \$6.5 million in Land for Maine's Future (LMF) funding that had expired because Governor LePage refused to release the money. People and organizations throughout the state, including NRCM staff and members, worked hard to restore these important funds by contacting their elected officials and demanding that the will of Maine voters be honored.

Winning on LMF was a great way to start the year, but Maine people should never have been put in the position of having to fight for the release of these funds. The LMF bonds that the governor held hostage for 10 months—an action that no other governor has taken in Maine history—were approved by the Legislature, sent to the voters, and enacted overwhelmingly at the ballot box. That should have been the end of the story. Voters should not have been forced to contact their legislators through phone calls, emails, and meetings throughout the fall to insist that the funds actually be spent.

We are pleased that constituent pressure helped ensure that the LMF bonds will be issued this summer to help protect 50,000 acres of land through 30 conservation projects. But the governor's LMF hostage-taking set a troubling precedent. Is it now fair game for Maine governors to block voter-approved bonds in an attempt to create political leverage for unrelated issues? We certainly hope not, but time will tell.

Because this is a "short" session of the Legislature, lawmakers are working on fewer bills overall than they did last year (the "long" session). While NRCM closely followed 140 bills in 2015, this year we are focused on about two dozen bills that could affect the future of Maine's clean air, clean water, wildlife habitat, and healthy forests. Lawmakers hope to adjourn by April 20, 2016.

One of our top priorities is to secure bipartisan support for a strong, new solar energy policy. Currently, Maine is lagging behind other New England states that are aggressively pursuing solar energy to create clean energy jobs, increase energy independence, reduce climate-disrupting carbon

pollution, and cut fossil fuel use. Maine's failure to enact a pro-solar energy policy has been a hot topic at the State House for the past two years. NRCM has been centrally involved in a stakeholder process that's been meeting over the past six months to hammer out a plan. At this point, we are cautiously optimistic about the prospects for a good outcome, but stay tuned.

We also will be working hard this year on a bill to improve Maine's solid waste policies. Lawmakers seem interested in passing a bill that would boost composting of food scraps, create a new grant program for recycling projects, and add new containers to Maine's bottle bill, among other provisions. We also hope the bill will encourage additional diversion of usable food away from landfills and toward hunger relief programs.

As always, NRCM's policy experts will work hard to defeat bills that would weaken Maine's environmental laws. We are particularly concerned about four bills that would 1) divert funding that the Regional Greenhouse Gas Initiative (RGGI) provides for energy efficiency improvements 2) create barriers to towns that seek to regulate pesticides 3) remove incentives for Maine people and businesses to report small oil spills, and 4) allow a proposed development project in a high-value wetlands site in Gray to be exempted from key environmental laws.

During the months ahead, we will keep you informed and let you know how and when to contact your elected officials as priority bills move through the process. You can also visit our website for detailed updates. In addition, I encourage you to register for our annual Citizen Action Day in Augusta, to be held Tuesday, March 1, from 8:00 a.m. to 1:00 p.m. If you have never come to Augusta to speak with your elected officials about legislation that matters to you, please consider doing so this year. You can make a big impression, and you'll have a good time learning about key issues, meeting other environmentally concerned citizens from across the state, and enjoying a free lunch, too! Your elected representatives need to hear from you about the bills that will affect the future of Maine's environment. I hope to see you here!

As always, thank you for your support.

—Pete Didisheim, NRCM Advocacy Director

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NRCM/A.WELLS

## MAKE YOUR VOICE HEARD!

# Join Us for Citizen Action Day Tuesday, March 1, 2016

**Help protect the nature of Maine! (See page 4)**

◀ Senator Justin Alfond (D-Cumberland), center, with constituents, left to right, Elissa and Allen Armstrong, Maryann and Larry Larson, and Sarah Lakeman, during last year's Citizen Action Day.





## Boost Solar Power in Maine

A solar power revolution is underway around the world, and Maine needs to catch up with it. Maine has an excellent solar resource, but we are not tapping into the power of the sun as much as we could. Maine is lagging far behind other states in our region. Vermont and Massachusetts each have 10 times more installed solar per capita than Maine does!

Right now, Maine doesn't have the right policies in place to promote access to solar energy, create more good-paying solar installation jobs, and reduce pollution that threatens our climate. Last year, members of the Energy, Utilities and Technology Committee heard extensive testimony in support of a comprehensive solar energy bill sponsored by Representative Sara Gideon (D-Freeport). By a margin of 40-7, witnesses at the hearing urged support for the bill (LD 1263). The governor's energy director and Maine's electric utilities led the opposition.

In the end, committee members rewrote the bill to authorize the Public Utilities Commission (PUC) to convene a stakeholder group charged with developing a new solar energy policy for Maine, with the goal of reporting back to the Legislature by January 30, 2016. The House and Senate enacted the amended bill over a veto by the governor.

For the past five months, NRCM Clean Energy Project Director Dylan Voorhees has been deeply involved in the PUC stakeholder process—providing detailed proposals of solar policies that would benefit Maine. As of this writing, the stakeholder process has not finalized its work and reported back to the Legislature. Late in the process Central Maine Power started advocating for positions that seemed designed to sabotage the process. Utilities have taken similar approaches in other states. NRCM is working hard to translate momentum created over the last year into a strong solar bill that can be enacted this session.

We are working closely with a broad coalition of solar businesses and installers, workers, conservation and public health groups, municipalities, and homeowners who support a pro-solar policy. We will be posting updates in the weeks ahead.

Madison Paper, one of many Maine businesses that have benefitted from RGGI funding



## Protect Energy Efficiency Funding

Late in the 2015 legislative session, Governor LePage proposed several bills that would undermine renewable energy, cut energy efficiency funding, and increase

air and carbon pollution. Those bills were defeated, except for one: a bill (LD 1398) that would divert revenue generated by the Regional Greenhouse Gas Initiative (RGGI) away from energy efficiency investments. The bill never had a public hearing, so was carried over to the 2016 legislative session.

The multi-state RGGI program is a nationally recognized model for successfully reducing carbon pollution from power plants. Fossil-fueled power plants must purchase carbon credits for their carbon pollution, from a limited supply of credits, with the revenue from the sale of these credits going back to the RGGI states. Since 2008, RGGI funds have helped Maine lower energy costs for homes and businesses because 85 to 90 percent of these funds are used for energy efficiency improvements. For example, large industrial businesses in Maine will save \$139 million on energy bills through the investment of \$12 million in RGGI funds plus \$35 million in company investments, according to a recent study.

RGGI has helped lower energy costs for Maine businesses more than almost anything else the state has done. It is a highly valued source of energy efficiency investment at a time of continued concerns about energy costs.

LD 1398 would cripple this successful program, slashing the RGGI funds for energy efficiency for businesses by 80 percent (\$20 million) over the next three years. "This reduction would translate into about \$100 million in higher energy costs for businesses," according to NRCM Energy Project Director Dylan Voorhees, who urged the Energy, Utilities and Technology Committee to reject LD 1398. He recommended that the committee provide 100 percent of RGGI revenues for energy efficiency, telling them, "That's how we will get the most benefit from this program."



## Protect the Right to Regulate Pesticides

Over the past two decades, Mainers have increased the home use of pesticides by 700 percent. A growing number of towns are concerned about this exponential growth in pesticides, which can be poisonous to pets, humans, fish, and wildlife.

More than two dozen communities throughout Maine have adopted ordinances to protect their citizens from pesticides, and additional communities are considering similar measures. These efforts would be sharply constrained by a bill (LD 1543) introduced by Rep. Jeff Timberlake (R-Turner) and supported by pesticide manufacturers and applicators.

The bill would require municipalities to create costly new boards to oversee any pesticide ordinances. Because this provision would apply to towns that already have adopted a pesticide ordinance, passage of LD 1543 could retroactively invalidate those protective ordinances unless the municipality quickly complied with the bill's onerous requirements.

Pesticides are inherently dangerous, which is why many communities seek to protect people from excessive and unnecessary use. Maine law says, "It is the policy of the State to work to find ways to use the minimum amount of pesticides needed to effectively control targeted pests." NRCM staff will work to defeat this bill.



## Increase Composting and Recycling

Maine is not meeting its goal of recycling 50 percent of our solid waste, as called for in Maine's 1989 solid waste law that NRCM helped write. Instead, we have been stuck

at about 40 percent for years. Legislators considered several bills in 2015 aimed at boosting programs to "reduce, reuse, recycle, and compost," which are the top tiers of Maine's solid waste hierarchy. Those bills failed except for one, which was carried over to the 2016 legislative session to serve as a placeholder bill.

During the fall, members of the Environment and Natural Resources Committee met several times to study options for Maine's solid waste policy. They developed a draft bill with many provisions, some of which we like and some of which we oppose. As of this writing, it appears that the public hearing will happen in mid-February. We are particularly supportive of provisions in the bill that would require large generators of food waste (e.g. food processors, grocery stores) to divert those materials toward composting programs. This composting requirement is important and would bring Maine more in line with other New England states.

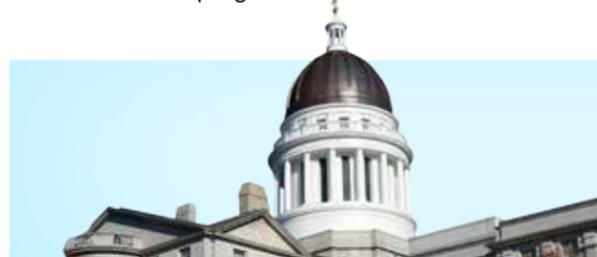
We also believe Maine could be doing a much better job of diverting usable food toward hunger relief programs. As explained by NRCM Sustainable Maine Project Director Sarah Lakeman, "We should be doing everything possible to reduce food waste, feed the hungry with food that has reached its 'sell by' date, and require those businesses and facilities that generate large volumes of food scraps to participate in composting programs."



## Safeguarding High Value Wetlands

The owners of the narrow gauge railroad and museum that operates in Portland are interested in moving to Gray to a site that contains high-quality wetlands, supports abundant wildlife, and performs valuable flood control functions. Supporters of the project have introduced a bill (LD 1478) that would exempt the project from requirements of Maine's shoreland zoning law and

Natural Resources Protection Act—two of our cornerstone environmental laws. If this bill were to pass, it could throw the door open to countless other proposals for exemptions to Maine's environmental laws. The bill also could result in serious harm to a prized and valuable wetland. Advocates from Gray claim the railroad would provide economic benefits to their community. NRCM and many others who testified against the bill believe a different site should be found for the project—one that would not require exemptions from Maine laws. *Status: At press time, the Environment and Natural Resources Committee voted 9-3 in opposition to LD 1478.*



Stay Up to Date on Our Work This Legislative Session

Bookmark (and visit often) our Legislative Bill Tracking Page: <http://wp.me/P728DF-7nN>

Join our online Action Network: [www.nrcm.kintera.org/ActionNetwork](http://www.nrcm.kintera.org/ActionNetwork)



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# BILLS IN THE LEGISLATURE



## Protect Lake Water Quality

Maine has some of the most scenic and valued lakes in the nation, generating at least \$3.5 billion in economic activity annually and helping sustain 52,000 jobs. Yet Maine's lakes are at risk. Lake water quality has been declining since 1995, according to a University of Maine study.

Although Mainers have worked hard to protect our lakes over the past 40 years, we are concerned that state and local regulatory authorities have failed to fully enforce our lake protection laws. In 2015, Representative Gary Hilliard (R-Belgrade) introduced a bill (LD 713) to implement a number of lake protection measures and create a stakeholder group to evaluate enforcement of shoreland zoning, Maine's most important lake water quality protection law.

LD 713 received strong support during a public hearing, but the Environment and Natural Resources Committee decided to hold the bill until 2016 while a voluntary stakeholder group, convened by the Maine Municipal Association, examined issues associated with enforcement of shoreland zoning. The group met four times, developed recommendations, and reported their findings to the ENR Committee. On January 6, the committee unanimously voted "ought not to pass" on LD 713, and approved letters to the DEP, Department of Economic and Community Development, and Maine Municipal Association urging them to consider implementing actions identified by the stakeholders.

We appreciate the work of the stakeholder group but would have liked to see stronger, more binding outcomes. We remain concerned that our lakes face significant threats and believe that the State is falling short of taking the actions needed to protect these priceless resources.

## Preserve Oil Spill Reporting

The lobbying organization that represents Maine oil dealers is strongly supporting a bill (LD 1494) that would eliminate a sensible incentive in Maine law that helps notify DEP's professional staff about oil spills. Similar bills have been introduced and defeated repeatedly in the past. NRCM testified against each of the prior bills, and so did the DEP in 2003, 2007, and 2011. This year, however, the DEP testified in support of the bill and provided false information in their testimony.

Currently, Maine law encourages people to report oil and gasoline spills by providing them with immunity from fines if they call DEP. This helps the DEP make decisions about cleaning up the spill. Oil and gasoline spread quickly, so time can be of the essence when there's a spill. The current requirement leaves discretion to the person responsible for the spill: in exchange for reporting, they receive immunity from fines. If they believe a small spill won't cause harm, then no reporting is required.

In support of LD 1494, DEP's Acting Director for the Bureau of Remediation and Waste Management, Leslie Anderson, falsely testified "any amount of oil, no matter how small, is required to be reported to the DEP, regardless of whether it is immediately removed and not a threat to the environment." DEP does not require reporting for oil or gasoline spills. It provides people with an incentive to report. This is why we oppose LD 1494, which would remove the incentive. NRCM Staff Scientist Nick Bennett provided lead testimony in opposition to LD 1494, and is working with lawmakers to make sure they understand that DEP's testimony is false and that the bill should be defeated this year for the same reasons that it was defeated in the past.

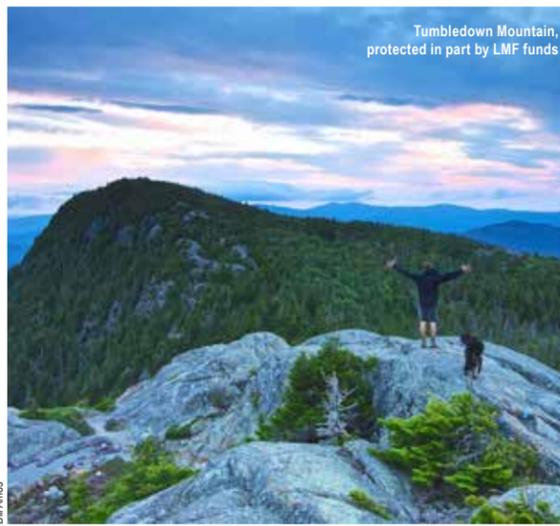
## Other Important Issues



**Sea-Level Rise Impacts** Representative Mick Devin (D-Newcastle) introduced a bill (LD 795), carried over from last year, that would require sea-level model predictions to be taken into account in the design phase of any development project on the coast or in a flood zone if more than 10 percent of the total funding for the project is State funding. Regrettably, the bill is heading toward defeat and will be replaced by a letter from the Environment and Natural Resources Committee to the DEP requesting that they review existing laws and regulations to see if they are adequate to address threats posed by sea-level rise.

**Logging on Public Lands** A legislative study commission that met during the fall has rejected the governor's proposal to unsustainably increase timber cutting on public lands and divert the funds toward unrelated purposes. Members of the study commission will be presenting their recommendations to the Agriculture, Conservation and Forestry Committee, which will be reflected in a bill. We support the recommendations, including the strong conclusion that revenue generated from harvesting on Public Reserved Lands should only be

# LAND FOR MAINE'S FUTURE: A Win for Maine People



Tumbledown Mountain, protected in part by LMF funds

By any measure, the Land for Maine's Future (LMF) program has been Maine's most important and popular land conservation effort. Since 1987, LMF has protected more than 315,000 acres of working forestland; more than 1,200 miles of shorefront; dozens of lakes, ponds, and mountains; and hundreds of miles of trails throughout Maine for residents and visitors alike to enjoy.

This record of success helps explain why so many people were angry to learn last March that Governor LePage decided to block the release of \$11.5 million in voter-approved LMF bonds. Through one of his commissioners, he announced at an LMF Board meeting that he would hold LMF funds hostage until lawmakers agreed to his proposal to radically increase logging in Maine's Public Reserved Lands and divert the logging revenue toward other purposes.

In response to this unprecedented move, Senator Roger Katz (R-Kennebec) last year introduced a bill (LD 1378) to force the governor to release the voter-approved bond funds. The bill passed the House and Senate by the two-thirds margin needed to override a veto by the governor. However, when the bill returned to the House for the veto override vote, six Republican House members switched their votes in response to pressure from the governor's office and Republican leadership. LD 1378 was defeated.

This left more than 30 conservation projects in limbo, with the host organizations wondering whether they would ever receive the funds that the LMF Board had promised for each of these projects.

Over a five-month period, from July through December 2015, people and organizations across the state, including NRCM and many of our members, flooded their legislators with messages urging them to overturn the governor's LMF position when the Legislature convened in January. The legislators who switched their votes in response to political pressure became the target of massive constituent pressure, because those voters felt particularly betrayed.

In mid-December, Governor LePage suddenly announced that he would release \$5 million in 2012 LMF bond funds. He also said he would release \$6.5 million approved by voters in 2010, but which expired in November. Because those funds expired, the Legislature needed to reauthorize the funds, as allowed by the Maine Constitution. The governor's about-face on LMF occurred because Republican legislators were worried that the firestorm the governor created would have political ramifications if the governor's position prevailed much longer. Anxious legislators communicated those concerns to their Republican leadership and directly to the governor.

But even during the opening days of the legislative session, the outcome of a vote to reauthorize the expired \$6.5 million in LMF funds was uncertain. The governor's office suddenly told lawmakers that he would only support a short-term extension, preferably only six months. This would have created an opportunity for the governor to withhold the funds again, creating yet another crisis for LMF

- Continued on page 4



spent on management of Maine's Public Reserved Lands and public access to those areas.

**Stream Crossing Bond** Many of Maine's culverts, which allow streams to pass under roads, are old and ineffective. They get blocked easily or fail entirely, creating public safety hazards and cutting fish and wildlife habitat into separate, isolated segments. Representative Jeff McCabe (D-Skowhegan) is proposing a \$10 million "Stream Crossing Bond" (LD 1069) to help communities repair and replace old stream crossings, which will restore fish and wildlife habitat and enable sea-run fish to reach inland spawning habitat.

**Weatherization Bond** Senator Dawn Hill (D-York) introduced a bill (LD 1341) that would provide a \$30 million bond for home weatherization and energy efficiency investments, of which \$7 million would go toward improving the energy performance of low-income housing. The funds would retrofit 30,000 housing units with insulation, air sealing, and/or high-efficiency heating equipment, saving Maine people \$200-\$450 million on energy bills and creating 400 direct building jobs.

funding, allowing the governor to withhold funding once again. "As legislators headed to the House floor on January 12, we didn't know how it would play out," observed NRCM North Woods Policy Advocate Eliza Donoghue. "It looked like lawmakers were starting to buckle again under pressure from the governor."

Fortunately, Representative Marty Grohman (D-Biddeford) offered a motion on the floor to reauthorize the expired 2010 LMF funds for an additional five years. House Republican leader Ken Fredette (R-Newport) rose to speak, explaining that he felt like he had been "put in a box" with competing allegiances to the governor and to Maine voters. In the end, he felt he had no choice but to vote to honor the will of Maine voters. With that statement, the amendment passed 147-0 in the House, and then sailed through the Senate two days later.

NRCM will continue to follow the LMF issue closely to ensure that the \$11.5 million in citizen-approved funds are, in fact, released. We also will urge passage of a bill (LD 1248) sponsored by Representative Jeff McCabe (D-Skowhegan) that would provide \$20 million in new LMF funding.

LMF investments help preserve Maine's natural character and strengthen our nature-based economy, so we will be urging lawmakers to keep this good program moving forward with additional funding. Governor LePage may not be a fan of LMF, but Maine people are—and they have demonstrated that the governor picked the wrong fight.

**Support Our Work: Become a Member Today!**  
 Your membership helps us keep Maine's lakes, rivers, and coastlines beautiful, our forests healthy, and our air clean. Join online at [www.nrcm.org](http://www.nrcm.org) or use the enclosed envelope. Membership makes a difference!

**WE LOVE MAINE'S NORTH WOODS and want to share it with you!**



NRCM is raffling off a dream vacation to Maine's spectacular Katahdin region, with the grand prize a three-day stay for two in and near the proposed National Park lands! It includes a guided tour through the park lands, two nights at beautiful Mt. Chase Lodge ([www.mtchaselodge.com](http://www.mtchaselodge.com)) and one night in a back-country cabin within the Katahdin Woods and Waters Recreation Area. Meals, guides, and lodging are all included. Bring your own bikes, skis, and personal camping gear, and the rest will be provided. The winner will choose from several dates in 2016-2017 (in advance of the season). This is a \$450 value!\* Three runner-up prizes include a gift basket from Northern Maine merchants, a DD Tyler wildlife print, and entry to a Katahdin Woods and Waters Recreation Area moose photography raffle to be held in the fall. Proceeds will support our work for a new National Park in Maine on this very land.

To enter, return the form below by Monday, May 9<sup>th</sup>, 2016 for the May 15<sup>th</sup> drawing. Or purchase your ticket(s) online at [www.nrcm.org](http://www.nrcm.org). Tickets are \$30 each and there are only 300 of them so get yours today!

\*Per IRS regulations, raffles are not tax-deductible.

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**JOIN US**

**TUESDAY, MARCH 1, 8AM-1PM**  
**for Citizen Action Day**  
*Help us protect the nature of Maine*

NRCM staff members are well respected in the halls of the State House, but time and time again we hear from legislators that meeting face-to-face with the people they represent makes a big difference. Concerned Mainers like you can have a big impact on the outcome of important legislation here in Maine. Come hear firsthand from NRCM staff members about our priority bills and tips for speaking with your legislators. Then take a short walk across the street to the State House, where you can meet with your elected officials. We'll provide a light breakfast in the morning and lunch in the afternoon. Mark your calendar and plan to join us at our headquarters for this important event. Learn more and register at [www.nrcm.org](http://www.nrcm.org).

**Have you gotten your copy?** NRCM produced *Portland: Connected by Nature* to highlight sustainability efforts underway in Maine's largest city. It celebrates the people and organizations that are working together to craft a future that's in balance with the nature of Maine. Available at [www.nrcm.org](http://www.nrcm.org) or by emailing [nrcm@nrcm.org](mailto:nrcm@nrcm.org).

**Working for You at the State House**

Our advocacy staff works day and night throughout the legislative session to represent you and your interests, working for laws that protect Maine people, places, and wildlife. To keep us on the frontlines of environmental protection in Maine, please use the enclosed, postage-paid envelope to donate today. Your donation supports the most effective team working for Maine's environment:



- Dylan Voorhees**, *Clean Energy & Efficiency*
- Sarah Lakeman**, *Sustainable Communities & Waste Reduction*
- Cathy Johnson**, *Senior Staff Attorney, and North Woods & LMF*
- Pete Didisheim**, *Senior Advocacy Director*
- Eliza Donoghue**, *North Woods & LMF*
- Nick Bennett**, *Staff Scientist, and Rivers & Wetlands*

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 5 / Belfast, by staff member Judy Berk  
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