

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Fifth Legislature
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ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

Bill "An Act To Prevent Unnecessary Expulsion of Landowners from the Maine Tree Growth Tax Law Program"
H.P. 844 L.D. 1138

Tabled - April 2, 2012, by Senator **ALFOND** of Cumberland

Pending - **FURTHER CONSIDERATION**

(In House, March 30, 2012, 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-859).**)

(In Senate, April 2, 2012, Reports **READ**. On motion by Senator **COURTNEY** of York, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence. **READ ONCE**. Committee Amendment "A" (H-859) **READ** and **ADOPTED**, in concurrence.)

Under suspension of the Rules, **READ A SECOND TIME**.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Hastings.

Senator **HASTINGS:** Thank you Mr. President. Ladies and gentlemen of the Senate, I wish to explain very briefly why you see in the divided that I'm sort of off by myself on this bill. This is a bill that was worked hard by the Taxation Committee. Negotiated at great length by the stakeholders. I sorely wish I could support this bill but I have minor point that I must make the Senate aware of. As you know, we have both a statute dealing with Freedom of Information, the Right to Know Law, and a Joint Rule that requires any committee that wishes to or that feels that they are going to pass a law or wants to vote out a bill that will create a new exception to the public's right to know, must first bring that exception only to the Judiciary Committee for a recommendation as to whether or not that exception to the public's right to know is appropriate under the statutory guidelines. In this particular case, the issue brought to the Judiciary Committee was whether or not the commercial harvesting plan or Tree Growth plan is to be filed under a new category of open space called Managed Forest Open Space should be left confidential as those forest Tree Growth plans are under the existing Tree Growth law. It was the unanimous opinion of the Judiciary Committee that, in this particular case, the confidentiality of the Tree Growth plan was not appropriate. The reason was that under the existing Tree Growth law that they appropriate may contain proprietary information, and under our existing Tree Growth law your primary purpose has to be a commercial purpose for the harvesting of trees. The new category of Managed Forest Open Space does not require any commercial purpose and, accordingly, it was the recommendation of the Judiciary Committee that there should be no proprietary reason to keep those particular Tree Growth plans confidential. For that reason only, I voted against this bill in committee. I simply would like the Senate to be aware that the Taxation Committee, in this report, did choose not to follow the

recommendation of the Judiciary Committee. The bill, otherwise, is a very solid bill. Thank you very much.

PASSED TO BE ENGROSSED AS AMENDED, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution:

H.P. 1411

JOINT RESOLUTION RECOGNIZING MAY AS NATIONAL FOSTER CARE MONTH

WHEREAS, the foster care system in the United States provides for on average nearly 424,000 children each day who are unable to live safely with their biological parents, and in Maine, as of March 2012, there were 1,521 children from birth to 21 years of age in foster care; and

WHEREAS, foster parents are the most important caregivers for children who cannot safely remain with their biological parents and provide physical care, emotional support and education advocacy and families with foster parents are the most prevalent form of families providing permanent homes for children leaving foster care, through adoption or permanency guardianship; and

WHEREAS, most children who are removed from the care of their parents live with nonrelated foster parents; however, the number of children placed in relative foster care is growing and, in March 2012, one in 3 of all Maine children living in foster care were living in the homes of relatives; and

WHEREAS, children in foster care who are placed with relatives, compared to children placed with nonrelatives, have more stable placements, have more positive perceptions of their placements, are more likely to be placed with their siblings and demonstrate fewer behavioral problems; and

WHEREAS, as of March 2012, there are 1,252 licensed homes in Maine providing reunification support, foster care, kinship care and preadoptive care; over 800 children entered the Maine foster care system during 2011; and 446 Maine children are waiting to be adopted or placed in permanency guardianship; and

WHEREAS, in fiscal year 2009, almost 57,000 children nationwide were adopted out of foster care, but the number of children "aging out" of foster care without finding a permanent family increased to nearly 29,500; and

WHEREAS, children aging out of foster care need and deserve a support system as they work to secure affordable housing, obtain health insurance, pursue higher education and acquire adequate employment; and