



127th MAINE LEGISLATURE

SECOND REGULAR SESSION-2016

Legislative Document

No. 1689

H.P. 1154

House of Representatives, March 30, 2016

**An Act To Protect Children in the State from Possible Sexual,
Physical and Emotional Abuse by Persons Who Have Been
Convicted of Crimes**

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MAKER of Calais.
Cosponsored by Senator DIAMOND of Cumberland and
Representatives: GERRISH of Lebanon, GROHMAN of Biddeford, HARRINGTON of
Sanford, HUBBELL of Bar Harbor, Senators: BAKER of Sagadahoc, BURNS of Washington,
CYRWAY of Kennebec.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §8301-A, sub-§2**, as amended by PL 2005, c. 640, §2, is
3 further amended to read:

4 **2. Child care facility licensure.** The owner or operator of a child care facility shall
5 pay the licensing fee required under section 8303-A. A child care facility must be
6 licensed under this chapter and must comply with the rules adopted by the commissioner
7 under section 8302-A ~~and~~ the fire safety requirements of section 8304-A and the
8 requirements of section 8304-B. The department shall make at least one unannounced
9 inspection of a child care facility licensed under this chapter during the term of the
10 license. The inspection must take place between 6 and 18 months after the issuance of
11 the license. Except as otherwise provided, a nursery school must meet the requirements
12 of this chapter and chapter 1675.

13 **Sec. 2. 22 MRSA §8301-A, sub-§3**, as amended by PL 2005, c. 640, §3, is
14 further amended to read:

15 **3. Family child care provider certification.** A family child care provider shall pay
16 the certification fee required under section 8303-A. A family child care provider must be
17 certified under this chapter and shall comply with the rules adopted by the commissioner
18 under section 8302-A ~~and~~ the fire safety requirements of section 8304-A and the
19 requirements of section 8304-B. The department shall make at least one unannounced
20 inspection of a family child care provider certified under this chapter during the term of
21 the certificate. The inspection must take place between 6 and 18 months after the
22 issuance of the certificate.

23 **Sec. 3. 22 MRSA §8304-B** is enacted to read:

24 **§8304-B. Criminal history record information; fingerprinting**

25 **1. Child care facility.** As a condition of licensure, beginning September 1, 2016, a
26 child care facility must submit for each provider of care and staff member:

27 A. Age, criminal record and personal history in accordance with rules adopted under
28 section 8302-A, subsection 1, paragraph G; and

29 B. A set of fingerprints taken by a qualified law enforcement agency or an
30 authorized employee of the Department of Public Safety.

31 **2. Family child care provider.** As a condition of certification, beginning
32 September 1, 2016, a family child care provider must submit for each provider of care
33 and staff member:

34 A. Age, criminal record and personal history in accordance with rules adopted under
35 section 8302-A, subsection 2, paragraph J; and

36 B. A set of fingerprints taken by a qualified law enforcement agency or an
37 authorized employee of the Department of Public Safety.

