

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 664

S.P. 205

In Senate, January 30, 1997

**An Act Regarding the Regulation of Day Care Facilities and Home
Baby-sitting Services.**

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

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator PENDLETON of Cumberland.
Cosponsored by Representative: JONES of Pittsfield.

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

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Sec. 1. 22 MRSA §8301, first ¶, as amended by PL 1989, c. 700, Pt. A, §97, is further amended to read:

As used in this subtitle, the term "day care facility" means a house or other place in which a person or combination of persons maintains or otherwise carries out a regular program, for consideration, for any part of a day providing care and protection for ~~3~~ one or more children under the age of 16.

Sec. 2. 22 MRSA §8302, sub-§6 is enacted to read:

6. Rules regarding coinciding periods of care. The commissioner shall adopt rules regarding coinciding periods of care in day care facilities and registered home baby-sitting services. The rules must allow the limitations on numbers of children cared for to be exceeded by a reasonable number of children when coinciding periods of care result in periods of time of less than 2 hours in which more children are present than allowed by license, statute or rule. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter II-A.

SUMMARY

This bill requires the Commissioner of Human Services to adopt rules allowing day care facilities and registered baby-sitting services to care for more children than would otherwise be allowed when there are periods of time of less than 2 hours of coinciding care during the day. It applies day care facility licensing to providers of services for one or more children under 16 years of age.