

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1728

S.P. 674

In Senate, April 17, 2025

An Act to Establish the Maine Child Care Affordability Program Advisory Board

(EMERGENCY)

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

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator INGWERSEN of York.
Cosponsored by Representative GRAHAM of North Yarmouth and
Senators: President DAUGHTRY of Cumberland, NANGLE of Cumberland, RENY of
Lincoln.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** there is a waiting list for the Maine Child Care Affordability Program that
4 requires funding; and

5 **Whereas,** accessible and affordable high-quality child care services are a key
6 component of the State's economic development strategy; and

7 **Whereas,** it is important to provide individuals on the waiting list with accessible and
8 affordable high-quality child care services as soon as possible; and

9 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
10 the meaning of the Constitution of Maine and require the following legislation as
11 immediately necessary for the preservation of the public peace, health and safety; now,
12 therefore,

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

14 **Sec. 1. 5 MRSA §12004-I, sub-§36-G** is enacted to read:

15 **36-G.**

16 Human Services Maine Child Care Not Authorized 22 MRSA §3731-B
17 Affordability Program
18 Advisory Board

19 **Sec. 2. 22 MRSA §3731, sub-§5** is enacted to read:

20 **5. Board.** "Board" means the Maine Child Care Affordability Program Advisory
21 Board established pursuant to Title 5, section 12004-I, subsection 36-G.

22 **Sec. 3. 22 MRSA §3731-B** is enacted to read:

23 **§3731-B. Maine Child Care Affordability Program Advisory Board**

24 The Maine Child Care Affordability Program Advisory Board is established to advise
25 the Office of Child and Family Services on the operations of the Maine Child Care
26 Affordability Program established in section 3731-A.

27 **1. Membership.** The board consists of 5 members appointed as follows:

28 A. One member of the Legislature, appointed jointly by the President of the Senate
29 and the Speaker of the House of Representatives, for a 2-year term served concurrently
30 with the legislative term;

31 B. One member from the Office of Child and Family Services with expertise in the
32 financial implications of changes to child care programs, appointed by the
33 commissioner;

34 C. One member of the public who represents child care providers, appointed by the
35 commissioner; and

36 D. Two members of the public with expertise in child care services, appointed by the
37 commissioner.

1 **2. Terms.** With the exception of the member of the Legislature appointed to the board
2 pursuant to subsection 1, paragraph A, the term of a member of the board is 3 years. A
3 member may be reappointed to serve on the board.

4 **3. Duties.** The board shall review and offer advice to the Office of Child and Family
5 Services on the Maine Child Care Affordability Program established in section 3731-A,
6 including any changes suggested by the board.

7 **4. Meetings; quorum.** The board shall meet at least quarterly and more frequently
8 when necessary. A simple majority of members constitutes a quorum.

9 **5. Compensation.** A board member is not eligible for compensation.

10 **6. Chair.** The board shall elect annually a chair from among its members to serve for
11 3 years. The chair may be reelected. The board shall maintain the minutes of board
12 meetings.

13 **7. Report.** The board shall submit a report to the joint standing committee of the
14 Legislature having jurisdiction over health and human services matters, annually, no later
15 than January 2nd with its activities and any recommendations for the Maine Child Care
16 Affordability Program established in section 3731-A. The joint standing committee of the
17 Legislature having jurisdiction over health and human services matters is authorized to
18 report out legislation related to the report in the session in which the report is submitted.

19 **Sec. 4. Staggered terms.** Notwithstanding the Maine Revised Statutes, Title 22,
20 section 3731-B, subsection 2, one member of the public representing child care providers
21 and one member of the public with expertise in child care services are appointed for initial
22 terms of 2 years.

23 **Sec. 5. Maine Child Care Affordability Program rules.** The Department of
24 Health and Human Services, Office of Child and Family Services shall amend its rule
25 Chapter 6: Child Care Affordability Program Rules, to add to the priority list of families
26 with children who are on the waiting list for child care services, employees of child care
27 facilities and family child care providers who are eligible for the Maine Child Care
28 Affordability Program established in the Maine Revised Statutes, Title 22, section 3731-A.

29 **Sec. 6. Sustainability of Maine Child Care Affordability Program.** The
30 Department of Health and Human Services, together with the Maine Child Care
31 Affordability Program Advisory Board established in the Maine Revised Statutes, Title 5,
32 section 12004-I, subsection 36-G, shall develop a long-term plan that ensures financial
33 sustainability of the Maine Child Care Affordability Program established in Title 22,
34 section 3731-A. The plan must include the necessary level of funding that must be
35 appropriated in order to serve all families who qualify for the Maine Child Care
36 Affordability Program. The department shall submit a report with the long-term plan to
37 the Joint Standing Committee on Health and Human Services no later than January 2, 2026.
38 The Joint Standing Committee on Health and Human Services is authorized to report out
39 legislation to the Second Regular Session of the 132nd Legislature.

40 **Sec. 7. Appropriations and allocations.** The following appropriations and
41 allocations are made.

42 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**
43 **Child Care Services 0563**

1 Initiative: Provides one-time funding for the Maine Child Care Affordability Program.

2	GENERAL FUND	2025-26	2026-27
3	All Other	\$3,800,000	\$0
4			
5	GENERAL FUND TOTAL	\$3,800,000	\$0

6 **Emergency clause.** In view of the emergency cited in the preamble, this legislation
7 takes effect when approved.

8 **SUMMARY**

9 The bill establishes the Maine Child Care Affordability Program Advisory Board to
10 advise the Department of Health and Human Services, Office of Child and Family Services
11 on the Maine Child Care Affordability Program, including any program changes. The
12 board consists of 5 members, with the legislative member serving a 2-year term, and the
13 remaining 4 members serving 3-year terms. The board must meet at least quarterly and
14 submit an annual report to the joint standing committee of the Legislature having
15 jurisdiction over health and human services matters on its activities and with its
16 recommendations. The joint standing committee of the Legislature having jurisdiction over
17 health and human services matters is authorized to report out legislation in the year in which
18 the report is submitted.

19 The bill requires the Office of Child and Family Services to amend its rule Chapter 6:
20 Child Care Affordability Program Rules, to add child care employees who qualify for the
21 program to be included in the families who are prioritized when there is a waiting list for
22 the program.

23 The bill requires the Department of Health and Human Services together with the
24 Maine Child Care Affordability Program Advisory Board to develop a long-term plan for
25 financial sustainability of the Maine Child Care Affordability Program and submit the
26 report to the Joint Standing Committee on Health and Human Services no later than January
27 2, 2026.

28 The bill requires an appropriation of \$3,800,000 to clear the current waiting list for the
29 Maine Child Care Affordability Program.