

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
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3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1384

6
7 H.P. 963

House of Representatives, April 25, 1985

8 Reference to the Committee on Human Resources suggested and ordered
9 printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Stevens of Bangor.

11 Cosponsored by Representative Allen of Washington, Representative
Melendy of Rockland and Representative Bost of Orono.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT Concerning Employment of Certain
18 Individuals in Contact with Children.
19

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

22 Sec. 1. 17 MRSA c. 92 is enacted to read:

23 CHAPTER 92

24 CHILD PROTECTION ACT

25 §2871. Definitions

26 As used in this chapter, unless the context oth-
27 erwise indicates, the following terms have the fol-
28 lowing meanings.

29 1. Day care facility. "Day care facility" means
30 a day care facility, as defined in Title 22, section
31 8301.

1 2. Kindergarten. "Kindergarten" means kinder-
2 garten, as defined in Title 20-A, section 1, subsec-
3 tion 15.

4 3. Nursery school. "Nursery school" means nur-
5 series school, as defined in Title 22, section 8401.

6 4. Preschool or school facility. "Preschool or
7 school facility" means any day care facility, nursery
8 school, kindergarten or public or private elementary
9 or secondary school.

10 §2872. Employees transporting minors

11 No person may be employed in any preschool or
12 school facility in any capacity which involves the
13 transporting of minors by means of motor vehicle un-
14 less the person, prior to commencement of that em-
15 ployment, submits to the facility an affidavit indi-
16 cating the nature and date of any adjudication or
17 conviction for a violation of Title 29, former sec-
18 tion 1312, subsection 10 or section 1312-B, 1312-C or
19 Title 15, section 3103, subsection 1, paragraph F
20 within the preceding 5-year period. The affidavit
21 shall be submitted, prior to employment, to the De-
22 partment of the Secretary of State, Motor Vehicle Di-
23 vision and shall be processed by the division to de-
24 termine if such an adjudication or conviction has oc-
25 curring within the preceding 5-year period. The divi-
26 sion shall report its findings to the facility and if
27 the affidavit or the findings of the bureau indicate
28 that such an adjudication or conviction has occurred,
29 that person may not be employed by the facility for
30 the transportation of minors. The affiant shall bear
31 the cost, if any, of processing the affidavit
32 purasant to this section.

33 Sec. 2. Transition. Any person employed in a
34 preschool or school facility in any capacity which
35 involves the transportatin of minors on the effective
36 date of this Act shall, within 90 days, furnish to
37 the facility an affidavit which shall be processed in
38 accordance with this Act.

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STATEMENT OF FACT

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The purpose of this bill is to require that any person employed to transport children in any day care facility, nursery school, kindergarten or elementary or secondary school must submit an affidavit concerning any operating under the influence convictions during the preceding 5 years.

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