

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

## SECOND REGULAR SESSION - 1990

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Legislative Document

No. 2209

H.P. 1597

House of Representatives, January 19, 1990

Submitted by the Department of Human Services pursuant to Joint Rule 24.  
Reference to the Committee on Human Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative AULT of Wayne.  
Cosponsored by Representative PRIEST of Brunswick.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY

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**An Act to Remove Barriers to the Location of Family Day Care Homes  
in Areas Zoned for Residential Use.**

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

4 **22 MRSA §8308** is enacted to read:

6 **§8308. Day care facility zoning**

8 A registered or licensed children's day care facility  
10 servicing 12 or fewer children must be considered a permitted use  
12 in all areas zoned for residential purposes. Ordinances that  
14 apply to licensed children's day care facilities servicing 13 or  
16 more children must also apply to registered facilities servicing 13  
18 or more children. A local government may not establish  
20 regulatory standards, codes, ordinances or requirements for state  
22 registered or licensed children's day care facilities different  
24 from the standards established and permitted under state law.

26 **STATEMENT OF FACT**

28 The purpose of this bill is to remove barriers that inhibit  
30 the location of registered or licensed children's day care  
32 facilities servicing 12 or fewer children in areas zoned for  
residential use and to provide uniformity between state and local  
licensing of children's day care facilities. Municipalities have  
begun developing children's day care licensing regulations  
resulting in inconsistent child care standards from community to  
community.

This bill does not limit local governments from enacting  
zoning ordinances governing the location of children's day care  
facilities servicing 13 or more children.