

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 359

H.P. 272

House of Representatives, January 25, 2005

An Act To Change the Child Care Facility Licensing Laws

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative DUPREY of Hampden.

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

2 **Sec. 1. 22 MRSA §7802, sub-§2, ¶B,** as amended by PL 1999, c.
4 599, §1, is further amended to read:

6 B. The terms of full licenses or approvals are as follows.

8 (1) Except as provided in subparagraphs (2), ~~(3)~~ and
10 ~~(4)~~ to (5), the term of all full licenses and approvals
12 issued pursuant to this chapter is for one year or the
remaining period of a conditional or provisional
license that has been issued for less than one year.

14 (2) The term of a residential child care facility
license is for 2 years.

16 (3) The term of a drug treatment center license may be
18 for either one or 2 years.

20 (4) The term of a family foster home or specialized
foster home license is for 2 years.

22 (5) The term of a child care facility as defined in
24 section 8301-A, subsection 1-A, paragraph B is for 2
26 years.

28 **Sec. 2. 22 MRSA §8301-A, sub-§2,** as amended by PL 2001, c.
645, §6, is further amended to read:

30 **2. Child care facility licensure.** The owner or operator of
32 a child care facility shall pay the licensing fee required under
section 8303-A. A child care facility must be licensed under
34 this chapter and must comply with the rules adopted by the
commissioner under section 8302-A and the fire safety
36 requirements of section 8304-A. The department shall make at
least one unannounced inspection of a child care facility
licensed under this chapter during the term of the license.
38 Except as otherwise provided, a nursery school must meet the
requirements of this chapter and chapter 1675.

40 **Sec. 3. 22 MRSA §8303-A,** as amended by PL 1997, c. 494, §12
42 and affected by §15, is further amended to read:

44 **§8303-A. Fee for licenses**

46 By January 1, 1998, the department shall adopt rules to
48 establish reasonable fees for both initial licensure or
certification and license or certification renewals for day care
50 centers, child care facilities, nursery schools and certified
home day care providers. Rules adopted pursuant to this section

