## MAINE STATE LEGISLATURE

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	L.D. 1887
2	DATE: 3/8/06 (Filing No. H-8/3)
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6	HEALTH AND HUMAN SERVICES
8	
10	Reproduced and distributed under the direction of the Clerk of the House.
12	STATE OF MAINE HOUSE OF REPRESENTATIVES
16	122ND LEGISLATURE SECOND REGULAR SESSION
18	COMMITTEE AMENDMENT "A" to H.P. 1327, L.D. 1887, Bill, "An
20	Act To Update Licensing and Certification Requirements for Child Care Facilities and Family Child Care Providers"
22	
24	Amend the bill in section 3 by striking out all of subsection 3 (page 1, lines 23 to 26 in L.D.) and inserting in its place the following:
26	Teo place the lollowing.
28	'3. Approval dependent on compliance. As of July 1, 1998, a day eare center family child care provider, child care facility or nursery school may not be licensed, registered, certified or
30	otherwise approved or receive any state funds unless it is in compliance with this section.'
32	Further amend the bill in section 7 in \8301-A in subsection
34	1-A by striking out all of paragraph C (page 3, lines 44 to 50 and page 4, lines 1 and 2 in L.D.) and inserting in its place the
36	following:
38	'C. "Heme day <u>Family child</u> care provider" means a person who provides day care in that person's home on a regular
40	basis, for consideration, for 3 to 12 children under 13 years of age who are not the children of the provider <u>or who</u>
42	are not residing in the provider's home. If a provider is caring for children living in that provider's home and is
44	caring for no more than 2 other children, the provider is not required to be certified as a family child care
46	provider.'
48	Further amend the bill by inserting after section 12 the

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# COMMITTEE AMENDMENT "A" to H.P. 1327, L.D. 1887

2	'Sec. 13. Major substantive rules. Notwithstanding the Maine
4	Revised Statutes, Title 22, sections 1323 and 8302-A, the Department of Health and Human Services shall amend any major
	substantive rules as needed, pursuant to Title 5, chapter 375,
6	subchapter 2-A to implement the changes required by this Act without review by the Legislature pursuant to Title 5, section
8	8072.'
10	
12	SUMMARY
14	This amendment changes the bill to add family child care
	providers to the group of child care providers that must be
16	compliant with lead hazard screening requirements as a condition
	of licensing. The amendment clarifies the circumstances under
18	which a provider is not required to be certified. The bill
	specifies that a provider may care for children related to the
20	provider by blood or marriage along with up to 2 other children without certification. The amendment allows a provider to care
22	for children living in the provider's home along with up to
	other children without being certified. The amendment also
24	requires the Department of Health and Human Services to update
	the department's rules to implement the changes made by the bill
26	without legislative review.

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FISCAL NOTE REQUIRED (See attached)

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## 122nd MAINE LEGISLATURE

LD 1887

LR 3007(02)

An Act To Update Licensing and Certification Requirements for Child Care Facilities and Family Child Care Providers

Fiscal Note for Bill as Amended by Committee Amendment 'A''
Committee: Health and Human Services
Fiscal Note Required: Yes

### **Fiscal Note**

Minor cost increase - General Fund

#### **Fiscal Detail and Notes**

Any additional costs to the Department of Health and Human Services in implementing this bill can be absorbed utilizing existing budgeted resources.