

MAINE STATE LEGISLATURE

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Date: 4/1/08

Majority

L.D. 2033

(Filing No. H-890)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1417, L.D. 2033, "Resolve, Directing the Department of Health and Human Services To Adopt Rules Governing the Use of Lakes by Licensed Child Care Facilities "

Amend the resolve by striking out the title and substituting the following:

'Resolve, Directing the Department of Health and Human Services To Adopt Rules Governing the Use of Lakes by Certified Family Child Care Providers and Licensed Child Care Facilities'

Amend the resolve by striking out all of section 1 (page 1, lines 13 to 16 in L.D.) and inserting the following:

'Sec. 1. Adoption of rules. Resolved: That the Department of Health and Human Services shall adopt rules governing the use of lakes and ponds by licensed child care facilities and certified family child care providers. The rules must allow a child care facility or a family child care provider to use a lake or pond for water activities without a lifeguard on duty as long as the family child care provider or child care facility has written permission from the parent or guardian of every child who participates in water activities and a written water safety plan and meets all of the other water safety rules for swimming pools. The water safety plan must ensure that:

1. The staff-to-child ratios for swimming pools are maintained and that no fewer than 2 people who are at least 18 years of age are present at all times;
2. At least one person present is trained as a water safety attendant as defined in the rules for swimming pools;
3. A barrier is provided, such as a roped-off area with buoys, that is no wider than 16 feet across at any point and partitions off a part of the water that is no deeper than 4 feet at any point and is in place prior to the children's entering the water;
4. Children 8 years of age and under wear a life jacket in the water; and

COMMITTEE AMENDMENT



Approved: 03/25/08 *MAC*

123rd MAINE LEGISLATURE

LD 2033

LR 3008(02)

Resolve, Directing the Department of Health and Human Services To Adopt Rules Governing the Use of Lakes by Licensed Child Care Facilities

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 can be absorbed by the department utilizing existing budgeted resources.