

# MAINE STATE LEGISLATURE

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Date: 6/22/17

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
128TH LEGISLATURE  
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 207,  
L.D. 274, Bill, "An Act To Implement the Recommendations of the Working Group To  
Study Background Checks for Child Care Facilities and Providers"

Amend the amendment by striking out all of section 2 and inserting the following:

'Sec. 2. 22 MRSA §8302-A, sub-§1, ¶J, as enacted by PL 2015, c. 497, §2, is  
repealed and the following enacted in its place:

J. Requiring a criminal background check that meets the requirements of 42 United  
States Code, Section 9858f(b) for each child care staff member. For the purposes of  
this paragraph, "child care staff member" means an individual, other than an  
individual who is related to all children for whom child care services are provided;

(1) Who is employed by a child care facility for compensation, including a  
contract employee or self-employed individual; or

(2) Whose activities involve the care or supervision of children for a child care  
facility or unsupervised access to children who are cared for or supervised by a  
child care facility.'

Amend the amendment by striking out all of section 5 and inserting the following:

'Sec. 5. 22 MRSA §8302-A, sub-§2, ¶K, as enacted by PL 2015, c. 497, §3, is  
repealed and the following enacted in its place:

K. Requiring a criminal background check that meets the requirements of 42 United  
States Code, Section 9858f(b) for a family child care provider and each child care  
staff member. For the purposes of this paragraph, "child care staff member" means  
an individual, other than an individual who is related to all children for whom child  
care services are provided;

(1) Who is employed by a family child care provider for compensation, including  
a contract employee or self-employed individual;

(2) Whose activities involve the care or supervision of children for a family child  
care provider or unsupervised access to children who are cared for or supervised  
by a family child care provider; or

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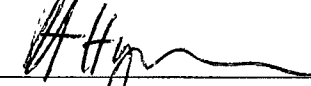
HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 207, L.D. 274

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(3) Who is 18 years of age or older and who resides in the home of a family child care provider.

**SUMMARY**

This amendment strikes and replaces the sections of the majority report describing which child care staff members and providers are required to undergo a criminal background check that meets the requirements of 42 United States Code, Section 9858f(b). It replaces these sections with the bill's versions of those provisions.

SPONSORED BY:  \_\_\_\_\_

(Representative HYMANSON)

TOWN: York