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5/15/2025

Senator Ingwersen, Chair
Representative Meyer, Chair
Members, Joint Standing Committee on Health and Human Services
100 State House Station
Augusta, ME 04333-0100

Re: LD 1428 – *An Act to Increase Access to Child Care for Maine Families*

Senator Ingwersen, Representative Meyer and members of the Joint Standing Committee on Health and Human Services:

Thank you for the opportunity to provide information in support of LD 1428, *An Act to Increase Access to Child Care for Maine Families*.

This bill would modify the statute regarding rules for child care facilities and family child care providers to specify that providers may operate without an outdoor recreational space as long as there is an outside public recreational space located within one-quarter mile of the ordinary course of travel from the facility or provider. Furthermore, the bill would require municipalities to allow child care facilities and family child care providers to operate in areas that are zoned for residential purposes and would require Maine State Housing Authority to amend its laws governing low-income housing tax credits to provide that community rooms built as part of low-income housing projects built with tax credits can be used as a child care facility or family child care provider.

OCFS is in support of ensuring that licensing rules allow for the use of outdoor recreational space as an alternative to a child care provider having a dedicated space on their property for outdoor time. Licensing rules require that when children are in attendance for more than four hours and are over the age of 12 months, they must have a minimum of 60 minutes of active outdoor play daily. Infants must go outside at least once daily. Currently the licensing rules specify that a program must have “access to” an outdoor play area, but do not require that the access be specific to the program or for the exclusive use of the program’s children. OCFS would suggest consideration for modifying the language of LD 1428 by removing the language specifying one-quarter mile and replacing it with language that requires an outdoor recreational space “available within a reasonable distance”. This would ensure the OCFS’ licensing specialists could be flexible with child care providers and consider more than just distance, including things like the age of the children in the program, the number of children, and any hazards that may exist along the route between the provider’s location and the outdoor recreational space, in order to balance child safety and accessibility to licensing for a wide array of providers.

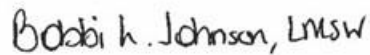
While Section 2 of the bill falls outside of OCFS' purview, OCFS is generally supportive of any changes in policy that will allow more willing and qualified individuals to open child care programs to meet the demand for care that exists.

Section 3 of the bill also falls outside of OCFS' purview, but we would suggest a change to the language of LDs 1428 to remove reference to family child care providers as a type of provider that could be licensed in a housing development's common space. Based on the licensing rules, such a space would have to be licensed as a facility or small facility.

OCFS appreciates LD 1428's creative approach to expanding the accessibility of child care for Maine families and would urge the Committee to support its passage.

Please feel free to contact me if you have any questions during your deliberation of this bill.

Sincerely,

A handwritten signature in black ink that reads "Bobbi L. Johnson, LMSW". The signature is written in a cursive, slightly slanted style.

Bobbi L. Johnson, LMSW
Director
Office of Child and Family Services
Maine Department of Health and Human Services