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SPEAKER OF THE HOUSE

MAY 15, 2025

**TESTIMONY OF SPEAKER RYAN D. FECTEAU REGARDING LD 1428, AN ACT TO
INCREASE ACCESS TO CHILD CARE FOR MAINE FAMILIES**

Good afternoon Senator Ingwersen, Representative Meyer, and esteemed members of the committee on Health and Human Services. I am House Speaker Ryan Fecteau, and I have the privilege of representing my hometown of Biddeford.

I am pleased to be here today to present LD 1428, *An Act to Increase Access to Child Care for Maine Families*.

It is often said that child care workers are the workforce behind our workforce. Child care programs and the workers who staff them make it possible for parents to go to work knowing that their children are safe and well cared-for.

The trouble is, we do not have enough child care for all the Maine families who need it. This bill attempts to make it easier for those who want to open child care businesses to do so, expanding access across our state while continuing to adhere to the licensing requirements and safety standards that are currently in place.

According to the DHHS Early Childhood Education Data Dashboard, which collects data on licensed child care facilities and family child care providers in the state, all but two counties in Maine have seen a decline in available child care since April 2023. Over the two-year period between April 2023 and March 2025, Androscoggin county has seen a 19.7% drop in the number of child care facilities, with a 20% decrease in Franklin and Washington counties, and a 26% decrease in Aroostook. When you consider both child care facilities and family child care providers, Washington and Somerset counties saw 26.4% and 17% decreases, respectively. Statewide, over the past two years, Maine has 55 fewer family child care providers and 9 fewer child care facilities.

There are several ways the bill proposes to address this issue and expand access to child care facilities.

First, it would allow child care facilities and family child care providers to operate without an outdoor recreational space if the operation is within one-quarter of a mile of an outdoor public recreational space. If there is a facility or prospective facility near an existing public space like a park or a playground, the facility can use that space to meet the requirement for licensing.

Frankly, this just makes sense, and it is especially important for densely populated cities where someone could fit a facility in but does not have their own outside space. The proposed change could also apply to a residential development, where there may be a neighborhood playground that a facility can make use of during the day.

For example, in my hometown of Biddeford, we're fortunate to have a number of local parks and playgrounds sprinkled across the city. One example is Clifford Park, which is relatively close to the downtown core and includes 240 acres of public green space, miles of trails, a playground and basketball and tennis courts. There is a child care facility near the park that takes advantage of this access to a beautiful natural area, walking their students from the facility to the park almost daily.

The bill also requires the Maine State Housing Authority to amend its rules governing low-income housing tax credits to allow the community rooms that are required as part of the projects built using the credits to be used as child care facilities or family child care providers. As the child care need continues to grow, it makes sense to allow a community space to be used for child care during the day. Security measures may be needed, but with new construction, these spaces are often already required to be key-card entry, allowing only staff to access during child care hours and all residents after hours. I have heard some concern from MaineHousing that this may not be feasible under federal law. Currently, several other states actually give preference to developers who include child care within their projects by awarding additional "points" for these projects under their qualified allocation plans required by the federal Low Income Housing Tax Credit Program (LIHTC). These states include Michigan, California and Nebraska. Texas is also considering legislation that would provide a tax credit for early learning providers who operate in certain affordable housing developments. I am very open to working with MaineHousing to determine the best path forward for Maine.

The bill would also require municipalities to allow child care facilities and family child care providers to operate in an area that is zoned for residential purposes. Given the scarcity of child care, it is my belief that we must not unnecessarily hamper the creation of new child care businesses. Unlike other businesses, child care facilities are typically open during daytime working hours, and would have limited impact on neighborhoods during evenings and weekends. So this could be a big benefit to families who live in those residential zones and who would otherwise need to travel significant distances to

access child care, but it does not place a burden on communities during those other times. Nearby access to child care facilities would also provide a substantial benefit to families who live in these residential zones and may otherwise have to travel significant distances to the closest available child care. We should not have neighborhoods where someone who wants to provide childcare out of their home is unable to do so because there is an ordinance that says you cannot.

We should not be stymying entrepreneurs from pursuing a business and in turn a resource for community members who desperately need to find safe and affordable child care for their kids. We know a few towns where child care has been prohibited by local ordinance (Cape Elizabeth, Falmouth). Falmouth recently made a narrow exception for spiritual buildings, which is essentially only allowing one church to provide on-site child care.

The most important thing to me is that we make child care work for Maine children, Maine families, and folks in our communities who want to start child care businesses. I am open to suggestions from stakeholders and the committee to improve the bill so we can meet that goal.

Thank you for the opportunity to present this bill, and I am happy to answer any questions the committee may have.