

### §8307. State employee child care programs

The Office of Child Care Coordination annually shall evaluate the status of state financed or operated child care facilities and programs which are operated primarily as a service for children of state employees, and shall set forth plans for the development of additional facilities. For the purpose of this section, "state employee" includes employees subject to the civil service law, employees defined in Title 5, chapter 71, and legislative employees. [PL 1987, c. 741, §4 (NEW).]

**1. Evaluation and report.** The Office of Child Care Coordination shall report its findings and recommendations annually to the joint standing committee of the Legislature having jurisdiction over human resources no later than the 3rd Wednesday in January of each first regular session of the Legislature. This report, at a minimum, shall include the following:

- A. The number and location of child care sites operated or planned for operation primarily for children of state employees; [PL 1987, c. 741, §4 (NEW).]
  - B. The number and ages of children at each site; [PL 1987, c. 741, §4 (NEW).]
  - C. The number and ages of children of state employees on waiting lists for admittance to the programs; [PL 1987, c. 741, §4 (NEW).]
  - D. The types of activities and programs provided to the children; [PL 1987, c. 741, §4 (NEW).]
  - E. The budget for each site, including expenditures and income. Income shall be further described to include fees charged and income from other sources. Any deficits shall also be described; [PL 1987, c. 741, §4 (NEW).]
  - F. Assistance provided for children of low-income state employee households, including sliding scale fees and any other assistance. The number of children for whom this assistance is being provided shall also be included; [PL 1987, c. 741, §4 (NEW).]
  - G. Any problems encountered in the operation of the child care facilities and programs and the reasons for these problems; [PL 1987, c. 741, §4 (NEW).]
  - H. The successes that have been realized as a result of this service to state employees, including state employee successes relating directly to the program; [PL 1987, c. 741, §4 (NEW).]
  - I. The hours of operation of each facility; and [PL 1987, c. 741, §4 (NEW).]
  - J. Any other information deemed relevant and useful by the Office of Child Care Coordination. [PL 1987, c. 741, §4 (NEW).]
- [PL 1987, c. 741, §4 (NEW).]

**2. Feasibility study of other child care facilities and programs.** Prior to the creation of new or additional state financed or operated child care facilities provided primarily for the benefit of state employees, except the initial facility to be located in the Augusta area, the Office of Child Care Coordination, in cooperation with the Bureau of General Services, shall conduct a feasibility study of the proposed child care facility, which must be located in a state-owned facility or in a facility located conveniently near the workplaces of state employees. This feasibility study, at a minimum, must include:

- A. The location of the site and the reasons justifying the location, including reasons justifying or not justifying using state-owned facilities; [PL 1987, c. 741, §4 (NEW).]
- B. An analysis of the benefits and liabilities of contracting with the private sector to provide child care programs under this section; [PL 1987, c. 741, §4 (NEW).]
- C. An analysis of the benefits and liabilities of State Government operation of child care programs and facilities for children of state employees; [PL 1987, c. 741, §4 (NEW).]
- D. The number and ages of children proposed for the site; [PL 1987, c. 741, §4 (NEW).]

- E. The type of assistance to be made available to children of state employees classified as low-income households; [PL 1987, c. 741, §4 (NEW).]
- F. The types of activities and programs to be provided, including preschool and after-school programs; [PL 2011, c. 691, Pt. B, §24 (AMD).]
- G. A time schedule for the commencement of programs at each facility; [PL 1987, c. 741, §4 (NEW).]
- H. Sources of income, including fees, if any, for funding each facility; and [PL 1987, c. 741, §4 (NEW).]
- I. Any other information determined important by the Office of Child Care Coordination and the Bureau of General Services. [PL 2011, c. 691, Pt. B, §24 (AMD).]

The report required by this subsection must be provided to the joint standing committee of the Legislature having jurisdiction over human resources matters in a timely manner preceding the selection of the site.

[PL 2011, c. 691, Pt. B, §24 (AMD).]

**3. Priorities; rulemaking.** Any child care facility and programs operated primarily as a service to state employees shall give priority to children of low-income state employee households. Any facilities and programs offered under this section shall also be conveniently located for the use of state employees. The Office of Child Care Coordination shall adopt rules in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, with respect to:

- A. Priorities of eligibility for the program; [PL 1987, c. 741, §4 (NEW).]
- B. The number of children that each state employee may enroll; [PL 1987, c. 741, §4 (NEW).]
- C. A sliding scale of fees for state employee households of different incomes; and [PL 1987, c. 741, §4 (NEW).]
- D. A definition of low income. [PL 1987, c. 741, §4 (NEW).]

[PL 1987, c. 741, §4 (NEW).]

**4. Collective bargaining.** It is not the intent of the Legislature in this section to limit or restrict the rights of state employees to bargain collectively as provided in Title 26. Nothing in this section may invalidate or supersede the provisions of a collective bargaining agreement between an employee organization and the State.

[PL 1987, c. 741, §4 (NEW).]

## SECTION HISTORY

PL 1987, c. 741, §4 (NEW). RR 2009, c. 2, §62 (COR). PL 2011, c. 691, Pt. B, §24 (AMD).

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