



STATE OF MAINE  
OFFICE OF THE GOVERNOR  
1 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0001

Paul R. LePage  
GOVERNOR

3 July 2018

The 128th Legislature of the State of Maine  
State House  
Augusta, ME

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 274, “An Act To Implement the Recommendations of the Working Group To Study Background Checks for Child Care Facilities and Providers.”


The safety of our children is paramount, and licensing for child care facilities is a key component to ensuring that safety. Our licensing regulations now have significant background check expectations. They ensure a high level of accountability and transparency on each and every child care provider in this state—both family child care providers and center-based providers.

Licensing regulations, especially for businesses that care for our most vulnerable populations, can be a difficult balance between safety and over-regulation. The purpose of our regulatory structure is for the safety of the people served, whether kids, elders or adults with disabilities. In fulfilling that purpose, it is easy for government to over-regulate and become an impediment to business. This bill does just that. I believe we have excellent child care providers in Maine; they are safe, accountable, and transparent. Adding a requirement that each and every employee of a child care agency undergo not just a background check, but also the exercise of being fingerprinted, is a bridge too far. We have gone from basic safety precautions to bureaucratic, over-regulation.

“Innocent until proven guilty” has been flipped on its head—under this bill, all child care providers and potential employees of their agencies will be considered guilty until proven innocent. I did not support teachers being fingerprinted, and I do not support further expansion of fingerprinting in this instance. I cannot support overburdening businesses, and I cannot support invading people’s privacy by forcing them to give up biometric identification without cause.

For this reason, I return LD 274 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

  
Paul R. LePage  
Governor



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