

Original sponsor: Health, Education
and Social Services Committee

Offered: 5/19/76
Referred: Finance

1 IN THE SENATE

BY THE COMMUNITY AND
REGIONAL AFFAIRS COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 753

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to day care; and providing for an
7 effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 47.35.010(5) is repealed.

10 * Sec. 2. AS 47.35.010 is amended by adding a new subsection to read:

11 (b) The department shall delegate its powers under this section
12 and under secs. 40, 50 and 60 of this chapter to municipalities which
13 have adopted an ordinance providing for day care licensing as authorized
14 under AS 29.48.035(a)(20). A municipality to which these powers have
15 been delegated may waive any regulation or standard established by the
16 department or the application of any regulation or standard as it
17 applies to a particular license but must notify the department of any
18 waiver.

19 * Sec. 3. AS 47.35.020 is amended to read:

20 Sec. 47.35.020. LICENSE OR PERMIT REQUIRED. No person may, with-
21 out a license or permit to do so, (1) maintain or conduct a boarding
22 home, foster home, group home, [NURSERY,] institution or other place for
23 the regular reception or care of children under 16 years of age, or (2)
24 engage in the business of receiving or caring for children under 14 [16]
25 years of age, with or without compensation, in a nursery in which
26 three or more children [A CHILD] not related by blood or marriage, or
27 legal adoption, to the owner, operator or manager of the business are
28 [IS] lodged [OR BOARDED].

29 * Sec. 4. AS 29.48.035(a) is amended by adding a new paragraph to read:

1 (20) licensing of day care facilities

2 * Sec. 5. AS 29.48.035(b) is amended to read:

3 (b) First and second class boroughs may exercise the powers con-
4 ferred by (a) of this section only after they have been assumed in the
5 manner required under AS 29.33.250 - 29.33.290 for areawide exercise or
6 in the manner required under AS 29.38.010 - 29.38.050 for exercise in
7 the borough area outside cities or are conferred by sec. 20 of this
8 chapter for exercise in the borough area outside cities. However, as to
9 powers conferred under (a)(5), (17), [AND] 18 and (20) of this section,
10 exercise of the powers areawide or, as to (a)(5), [AND] (17) and (20),
11 in the borough area outside cities is at the option of the borough and
12 is not subject to those restrictions on acquisition of additional
13 borough powers. Upon adoption of a borough ordinance to provide for
14 areawide exercise of the powers specified, no home rule or general law
15 city within the borough may exercise the powers, unless the borough
16 ordinance provides otherwise or the borough by subsequent ordinance
17 ceases to exercise the power.

18 * Sec. 6. AS 44.47.310(1) is repealed and re-enacted to read:

19 (1) "day care facility" means a center or home licensed in
20 accordance with the provisions of AS 47.35.010 - 47.35.080 or recognized
21 by the federal government for the care of children;

22 * Sec. 7. AS 44.47.310(3) is repealed and re-enacted to read:

23 (3) "child" means any person below seven years of age or a
24 child determined to be eligible for assistance under AS 47.25.310 -
25 47.25.420 and living with a family receiving benefits under AS 47.25.-
26 310 - 47.25.420;

27 * Sec. 8. AS 44.47.310 is amended by adding a new paragraph to read:

28 (4) "day care" means the care, supervision, and guidance of a
29 child or children unaccompanied by a parent or legal guardian on a

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regular basis for periods of less than 24 hours a day.

* Sec. 9. This Act takes effect July 1, 1976.

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