

160

HCRA

SB

740

-

SB

753

10

SB - 740

COMMITTEE REPORT

4/21/76

HOUSE

JUDICIARY

Mr. Speaker:

Date 4/21/76

COMMUNITY AND REGIONAL
AFFAIRS

The Committee on _____ has had SB 740

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS

"and" recommends it BE REFERRED TO THE _____
COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>	<u>[Signature]</u>	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

AMENDMENT

OFFERED IN THE HOUSE:

BY: House Community & Regional Affairs Committee

TO: _____ HOUSE BILL No. _____

SENATE BILL No. 740

PAGE: 1

LINE: 14

After "showing the name and" and before "address of"

INSERT: "mailing"

HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

May 12, 1976

Chairman Cotten called the meeting to order at 9:08 am for the committee to consider SB 740, SB 683 and SB 703. Present were:

Rep. Cotten	S. Robert Dozier, State Assessor DCRA
Rep. Ose	Ray R. Smith, Haines Boro. Assessor
Rep. Ostrosky	Samuel Coxson, Muni. of Anch.
Rep. Davis	Jack Chenoweth, Senate CRA Committee
Rep. Rudd	Karen Morehouse, NOW, Fairbanks/Juneau
Rep. Hackney	Palmer McCarter, DCRA
Rep. Hershberger	Barbara Eglert Thomas, Staff
Rep. Kelley	Jo Putman, staff
Rep. Freeman	

Jack Chenoweth discussed SB 740 "An Act requiring certain information on real estate conveyance instruments." As it stands now 90% of the requests for recording come from lawyers and banks with no name or address of a new owner, causing a title search to find out who to send assessment notices, tax bills which usually ends up with the new owner paying a penalty. Rep. Kelley moved to add "mailing" before address on line 14. The bill was passed out of committee and sent to House Judiciary.

Palmer McCarter discussed SB 683 "An Act relating to municipal incorporation standards and procedures." The Local Boundary Commission is in favor of this bill, standards are necessary and they urge adoption by legislation. This bill provides for a preliminary investigation by the Boundary Commission staff, before the entire Commission goes to a village that has applied to incorporate, to see if everything is in order and if everyone in the village is in favor of incorporation and all requirements are met. It would save time and money. No action was taken on the bill at this time.

Senate Bill 703 was brought up but no one on the committee was interested in moving it any further.

The meeting was adjourned about 10 am.

SB-253

COMMITTEE REPORT

HOUSE

5/1/76

FINANCE

Mr. Speaker:

Date

5-19-76

The Committee on COMMUNITY AND REGIONAL AFFAIRS has had SB 753

under consideration. A Majority of the members of the Committee

() recommends it DO PASS

() recommends it DO NOT PASS

() recommends it DO PASS WITH ATTACHED AMENDMENT(S)

() recommends it BE REPLACED WITH HCS FOR SB 753 AND THAT

HCS FOR SB 753 am DO PASS

() "and" recommends it BE REFERRED TO THE _____ COMMITTEE

() reports it back WITHOUT RECOMMENDATION

() "other"

Members signing the Majority report:

<u>[Signature]</u>	<u>DO PASS</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>DO PASS</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>DO PASS</u>	<u>[Signature]</u>

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

[Signature] Chairman

HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

May 19, 1976

Chairman Cotten called the meeting to order at 9:12 am to discuss SB 683, HCSSB 753, present were:

Rep. Cotten	Palmer McCarter, DCRA
Rep. Ose	Bill Berrier, Legal Services, LAA
Rep. Rudd	Sam Granato, DSS/Dhss
Rep. Hackney	Eric Lee, DCRA
Rep. Freeman	Marshal Hubbard, Senate LAA
Rep. Ostrosky	Debbie Staack, Legislative Affairs
	Elaine Mitchell, kiny
	Harvey Pitts, DCRA
	Barbara Englert Thomas, Staff
	Jo Putman, Staff

Palmer McCarter discussed SB 683. The Boundary Commission would prefer to have the Legislature address the incorporation of municipalities as it has for boroughs. This bill provides for preliminary feasibility studies done by staff members who work with villagers to see if in fact they want to do all the things - budget, taxes - involved with incorporation. The staff would travel to the village instead of the entire Boundary Commission for the first contact. Rep. Rudd is concerned with vagueness of standards and discouragement to villages for incorporating.

HCSSB 753 as explained by Eric Lee: the concept is that any municipality by ordinance will ask for authority to license then the department will delegate authority to license day care centers and homes. A municipality may waive any regulation or standard, once an ordinance is adopted. A Municipality notifies the department of passing an ordinance and what regulations have been adopted. This maintains status quo until a municipality passes an ordinance. Sam Granato explained it dispenses with any license for less than three unrelated children being cared for in the same home. The CS provides protection of children even though a municipality chooses not to handle licensing. This allows locals to determine their own regulations or stay with state regulations.

Rep. Ose moved to pass HCSSB 753 out of committee.

Adjourned at 9:55 am

HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

May 18, 1976

Chairman Cotten called the meeting to order at 9:04 am to discuss the CSSB 753. Present were:

Rep. Cotten	Billy G. Berrier, Legal Services, LAA
Rep. Davis	Don M. Berry, Ak. Municipal League
Rep. Kelley	Patricia George, Private citizen
Rep. Freeman	Violet Thetford, private citizen
Rep. Rudd	Sam J. Granato, DSS/DHSS
Rep. Ostrosky	Harvey Pitts, DCRA/DCS
	Eric Lee, CRA/DCS
	Marsha Hubbard, Senate Legis. Affairs
	Debbie Staack, Legislative Affairs
	Barbara Englert Thomas, Staff
	Jo Putman, Staff

This committee substitute states if a municipality chooses to handle licensing the state delegates authority after the municipality passes an ordinance establishing regulations and standards. A municipality may chose not to take on licensing of day care centers, therefore the authority remains with the state. A municipality may do investigation and make recommendations to the department having input but not doing the actual licensing. Anchorage has a dual system where the state does licensing, but the municipality issues permits. Bill Berrier explained that this is just opposite to the usual way things work, this bill sets it up so an ordinance pre-empts a state statute. Eric Lee stated the CS maintains status quo for Anchorage and Juneau, he feels that second class cities, rural towns, will probably apply for this licensing.

~~There was no other business brought out for consideration.~~

Meeting adjourned at 9:55 am.

COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

May 11, 1976

Chairman Cotten called the meeting to order at 9:10 am to continue hearing testimony on SB 753. Present were:

Rep. Cotten	Rosalee Walker, Dept. of Education
Rep. Ose	Susan Taylor, Bethel Social Services
Rep. Ostrosky	Candy Cottel, City of Whittier
Rep. Rudd	Phil Smith, Rural CAP
Rep. Davis	plus many of the same people
Rep. Hackney	that attended yesterday

Rosalee Walker submitted written testimony in favor of SB 753. If day care regulations are to work they must be simple enough to be understood by any one. SB 753 should mandate that communities write regs and provide for an effective date.

Sue Taylor is from Bethel where she works for the day care center. She testified in favor of SB 753. This bill would help the attitude of the people in rural areas where many homes taking children do not know licensing exists. Local control is more effective, someone on the local level would be enforcing them where no regulations are enforced now. The state can give technical assistance to local governments to set up regulations and enforcement. Regulations written at the local level would be understood by the local people. Rep. Ostrosky asked how she would see local involvement taking place. Sue stated she saw a committee of parents, staff, teachers and social workers, somewhat like Head Start.

Candy Cottel from Whittier testified in favor of SB 753. It allows locals to get involved. At times they cannot get in touch with HSS, they must go through channels. Her experience in Wasilla was to wait five months for a license, while a home meeting regulations remained vacant. Candy feels administrative paperwork would be eased by this bill. DHSS do not seem to be set up to help local communities therefore a change is necessary.

Phil Smith, Executive Director of Rural CAP testified in favor of SB 753 stating it is a logical extension of last years bill. Mr. Smith suggested a January 1 effective date to give time to conduct a study to assess impact on local governments. When writting regualtions input from state agencies would be appropriate. Proper and appropriate technical assistance would facilitate the transfer of authority to the local governments.

HOUSE COMMUNITY & REGIONAL AFFAIRS

May 10, 1976

The meeting was called to order at 9:15 am by Chairman Cotten to continue hearings on SB 753. Present were:

Rep. Cotten	Deborah Staack, Leg. Affairs
Rep. Freeman	Janis McCormick, Public Youth
Rep. Ose	Ronald Lind, Div. of Management and Budget
Rep. Ostrosky	Michael Orelove, Div. of Man. & Bud.
Rep. Hackney	Sam J. Granato, DSS/DHSS
Rep. Davis	Eric Lee, DCS/DCRA
	Sister Joseph Mary, St. Ann's Day Care
	Jackie Damon, interested party
	Pat J. Monroe, interested party
	Julie Neyhart, interested party
	Patricia George, private citizen
	Mary Gillian, Ad Hoc Parent Comm. on Daycare, Anchorage
	Marjorie Fields, Private Citizen
	Marsha Hubbard, Legis. Council

Chairman Cotten called upon Michael Orelove from the Division of Management and Budget to speak first.

Mr. Orelove discussed the federal Title XX funding stating the \$200,000 to 300,000 for salary increases within the Dept. of Health and Social Services would be paid by Title XX with \$100,000 match money coming from the General Fund.

0649 Mary Gillian, President of the Ad Hoc Parent Committee on Day Care in Anchorage submitted written testimony stating that maintaining minimum standards statewide is essential for the protection of children. If this bill passes as written and if a community chooses not to write regulations there will be no protection for children in that community.

1148

Margorie Fields testified as a private citizen. Mrs. Fields also submitted written testimony stating that she is against SB 753 and emphasis should be to protect children. High standards should be set and enforced. The Dept. of H & SS has been responsive and done a good job. The dept. sends out materials for use in day care centers and also assists centers meet regulations and maintain standards.

The meeting adjourned at 10 am.

COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

May 7, 1976

Chairman Cotten called the meeting to order at 9 a.m. to hear testimony on SB 753. Present were:

Rep. Cotten	David Freer, DHSS
Rep. Rudd	Deborah Staach, Legislative Affairs
Rep. Ose	Marsha Hubbard, Senate HESS
Rep. Hackney	Clark Miller, Empire
	Rosalee T. Walker, Dept. of Ed.
	Betsey W. McGuire, Off. of Child Advocacy
	Sharen Wahto, private citizen
	Patricia George, private citizen
	Lynda Hagersieker, private citizen
	Karen Sheridan, private citizen
	Janet Bradley, Human Rights
	Susan R. Clark, L. of Women Voters
	Sam J. Granato, DSS/DHSS
	Lois M. Jund, DH & SS
	Samuel L. Coxson, Anch. Municipality
	Margaret Wolfe, Anch. Municipality
	Aletha Henri, Day care operator
	Sister Joseph Mary, St. Ann's Day Care
	Pat Denny, Catholic Community Service
	Dorothy Anderson, Bush Alaska citizen
	Jessie Dodson, Office of the Governor
	Mary Van Nimweger, Legislative Finance
	Eric Lee, DCS/DCRA
	Harvey Pitts, DCRA

Eric Lee and Harvey Pitts from the Department of Community and Regional Affairs support the bill, especially the concept of local flexibility provided by the bill. They urge the adoption of Chance's amendment as well. If the bill is passed without provision for an effective date it will become effective in 90 days, in this case the local governments can recognize the standing licenses. The elimination of state licensing is seen as bad, however, child protection laws, fire and sanitation regulations will still be in effect. Local governments are capable of handling the licensing. The Department of C & R A has staff to give assistance to local governments where needed. The boys are against mandating regulations.

Sam Coxson representing the Anchorage Municipality testified next. March 15, 1977 would be a good effective date for this bill, January 1, 1977 would be the minimum effective date because budget money within the Municipality has all been set, no money available in this years budget for such a program. The Municipality of Anchorage requests funds through Revenue Sharing or some other program. He urged postponement of passage of the bill to allow for more local input, this legislation is moving too fast for everyone to keep up.

Adjourned at 10 am until 3 pm.

COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

May 6, 1976

Chairman Cotten called the meeting to order at 9:03 am to discuss and hear testimony on SB 753. Present were:

Rep. Cotten	F. Harvey Pitts, Dept. of C & RA
Rep. Ostrosky	Eric Lee, Dept. of C & RA
Rep. Freeman	Senator Genie Chance
Rep. Ose	Margaret Wolfe, NASW
Rep. Hackney	Samuel L. Coxson, Anchorage Mun.
Rep. Rudd	Lois M. Jund, DH & SS
Rep. Davis	Susan R. Clark, L. of Women Voters
	Patricia George, Private Citizen
	Sharon Wahto, Private Citizen
	Aletha Henri, Day Care Operator
	Don M Berry, Ak. Muni. League
	Deborah Staack, Leg. Affairs
	Sam J. Granato, DSS/DHSS
	Janet L. Bradley, Human Rights
	Rosalee T. Walker, Dept. of Education
	David Freer, DHSS
	Clark Miller, Alaska Empire
	Rep. Jim Duncan
	Senator Colletta

Senator Colletta explained the bill to the Committee. SB 753 removes the regulatory function over day care facilities from the State and gives it to the local authority thus providing immediate access by anyone concerned in case of an emergency. Colletta stated the Governor will increase state assistance to what is needed to cover any added costs. The sanitation and fire regulations will still be in effect and handled by the State. Good reports have been received from the day care program run by the Dept. of Community and Regional Affairs. The Dept. of Health and Social Services supports this bill; the commissioner testified before the Senate Committee in support of SB 753 with no objections.

Senator Genie Chance testified that all communities except Ketchikan have successful day care programs run with state subsidies. Social workers in the field, in Nome, Dillingham and Juneau, have been cracking down on private baby sitters thus this bill came about. The state subsidy is available only to licensed homes thus with this bill a municipality is forced into the licensing business. Senator Chance submitted an amendment that provides a mechanism for smooth transfer of the licensing authority. The municipality may by ordinance set up licensing so as not to lose the subsidy.

Margaret Wolfe of the National Association of Social Workers was next to testify, submitting written testimony. Margaret suggests regional

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.

PHONE: 586-6440

JUNEAU, ALASKA 99801

#

02 107 POM ANCHORAGE ALASKA 13 05-25 245P ADT 1976 MAY 25 PM 9 00

PMS REP SAMUEL COTTE N

4359

JUN

THANKS FOR LETTER REGARDING SENATE BILL 753 CHANGES

MENTIONED SEEM GOOD URGE PASSAGE

MARJORIE WOOSTER

ANCHORAGE COMMUNITY COLLEGE

of the UNIVERSITY of ALASKA
2533 PROVIDENCE AVENUE
ANCHORAGE, ALASKA 99504
TELEPHONE 279-6622



April 27, 1976

Mr. Sam Granato, Director
Division of Social Services
Pouch H
Juneau, Alaska 99801

Dear Mr. Granato:

I am writing to you as a parent of three pre-school children and as the coordinator of Anchorage Community College's Program to Train Paraprofessionals to Work with Pre-School Handicapped Children. In these roles, I am particularly aware of the need for close supervision of centers taking in children. The emotional growth of very young children is greatly affected by his environment.

Therefore, I strongly urge you to support:

1. State licensing of all day care programs, and
2. Adopt the Proposed Day Care Regulations as outlined by the Division of Social Services.

Thank you.

Sincerely,

Joyce O'Connor, Coordinator
Program to Train Paraprofessionals
to Work with Handicapped Children

JOC/smm

cc: State Representatives: Sam Cotton, Sue Sullivan, Bob Bradley, Ramona Kelly
Senators: Ed Willis, Brad Bradley
Senate Health & Social Services Committee
Division of Family & Children Services: Carolyn Touvinen, Sue Harper

PLEASE REPLY BY AIRMAIL

AMENDMENT #1

OFFERED IN THE HOUSE:

BY: House Community & Regional
Affairs Committee

TO: HCS HOUSE BILL No. _____

SENATE BILL No. 753

PAGE: 1

LINE: 11

Line 11:

BETWEEN "powers" and "under"

INSERT: "relating to nurseries"

Line 15:

BETWEEN "waive" and "any"

INSERT: "or modify"

Line 17:

CHANGE "license" to "licensee"

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST

Bill No. House CS for SB 753
 Title: "An Act Relating to Day Care & Providing for an effective Date
 Requested by: House C & RA Date: May 18, 1976
 Return Date Requested: May 19, 1976
 Agency: DC&RA Program: Child Care Programs

DH&SS Program Services, Social Work

II. FISCAL DETAIL

DC&RA/ Child Care Programs

Budget Request Unit(s) Affected: DH&SS/ Program Services, Social Work

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES		-0-	-0-	-0-	-0-	-0-
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		-0-	-0-	-0-	-0-	-0-

B. FUNDING: (Thousands of dollars)

GENERAL FUND		-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS		-0-	-0-	-0-	-0-	-0-
OTHER		-0-	-0-	-0-	-0-	-0-

C. POSITIONS:

PERMANENT/TEMPORARY	/	0/0	0/0	0/0	0/0	0/0
MAN MONTHS (P./T.)	/	0/0	0/0	0/0	0/0	0/0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See attached Budget Display. Fiscal Note assumes transfer of \$129,800 in State General Funds from Department of Health and Social Services Budget to offset costs of AFDC children utilizing Day Care Services.

It is further assumed that no additional administrative costs will be required by the Department of Community and Regional Affairs providing the Governor's Budget request is approved.

IV. ATTACHMENTS

NOTE: In order to utilize the Title XX funds to pay for Day Care Licensing functions and Day Care services in non-contract (CRA) areas of the State, \$195,306 in General Funds will remain in DH&SS to provide match for available \$585,608 in Title XX.

V. DATE: May 18, 1976 PREPARED BY:

Original: Legislative Finance
 cc: Budget and Management Eric Lee, DCRA
 Prime Sponsor (First Legislator Named)

Sam Granato
 Sam Granato DHSS

SUMMARY OF NEEDS
FOR
DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS

To administer and provide payment for Day Care Subsidy Programs if the licensing function remains with the Department of Health and Social Services.

Community and Regional Affairs
Current Program

\$1,200,000	FY 77	Governor's Budget Request
(987,310)	FY 77	Projected expenditures based on current experience.
<hr/>		
\$ 212,690	FY 77	Available funds

* * * * *

Health and Social Services
Current Program

\$683,100	FY 77	Governor's Budget request for AFDC
(340,610)	FY 77	Day Care Services in Non-contract (CRA) areas; Title XX Federal Funds
<hr/>		
\$342,490	FY 77	Projected needs by C&RA for AFDC caseload (219 persons x 12 mo. x 130.32 per mo.)

* * * * *

Community and Regional Affairs
Needs Due to AFDC Caseload

\$342,490	FY 77	Projected need for AFDC caseload
(212,690)	FY 77	Projected C&RA Available Funds
<hr/>		
\$129,800	FY 77	ADDITIONAL FUNDS NEEDED

* * * * *

Community and Regional Affairs
Funding of Needs for New AFDC Caseload

\$129,800	FY 77	Additional Funds Needed by C&RA
129,800	FY 77	General Funds Available for transfer from H&SS Budget Request
<hr/>		
\$ -0-	FY 77	Total New Appropriation required

SUMMARY OF NEEDS
FOR
DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS

TO ADMINISTER AND PROVIDE PAYMENT FOR DAY CARE SUBSIDY PROGRAM
IF LICENSING FUNCTION REMAINS WITH
THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DAY CARE SUBSIDY PAYMENT

Existing Program

\$1,200,000	FY 77	Governor's Budget Request
(1,100,000)	FY 77	Projected Expenditure per Department of Community and Regional Affairs
<hr/>		
\$ 100,000	FY 77	Projected Lapse

New AFDC Eligibles

\$ 683,100	FY 77	Governor's budget request in Department of Health and Social Services
(166,810)	FY 77	Projected lapse for day care services in Department of Health and Social Services
<hr/>		
\$ 516,290	FY 77	Projected need for day care subsidy for AFDC recipients
(83,800)	FY 77	Day care monitoring positions in Department of Community and Regional Affairs
<hr/>		
\$ 432,490	FY 77	Total projected Department of Community and Regional Affairs need for day care subsidy
(100,000)	FY 77	Funds available in projected lapse in existing Community and Regional Affairs Program
<hr/>		
\$ 332,490	FY 77	Adjusted need for subsidies
(219,800)	FY 77	General funds available for transfer in Health and Social Services relating to day care subsidy
<hr/>		
\$ 112,690	FY 77	Total projected "new" funds necessary to administer day care program.

* * * * *

ADMINISTRATION ¹

\$126,100	FY 77	Projected Total Administrative Costs
(126,100)	FY 77	Governor's Budget Request
<hr/>		
\$ 0	FY 77	New administration costs due to AFDC eligibles
* * * * *		

NEW STATE FUND APPROPRIATION NECESSARY

\$112,690	FY 77	Subsidy Program
0	FY 77	Administration
<hr/>		
\$112,690	FY 77	Total Necessary

1/ Budget assumes that licensing function will remain with Department of Health and Social Services

PROJECTED BUDGET FOR FY 77

FOR DAY CARE SERVICES IN DEPARTMENT OF HEALTH AND SOCIAL SERVICES
 UNDER PRESENT SYSTEM ^{1, 2}

	<u>Day Care Subsidies</u>	<u>Day Care Licensing Administration</u>
Department of Health and Social Services	\$683,100	\$227,614
Total	\$683,100	\$227,614
No. of Positions	--	9
Man Months	--	108
FUNDING:		
Federal	\$463,300	\$122,308
General Fund Match	\$154,400	\$105,306
General Fund	\$ 65,400	\$ 0

1/ Only AFDC day care payments are included. WIN day care and Protective Services day care will continue to be provided by the Department of Health and Social Services

2/ Based on Governor's Request

SUMMARY OF FY 77 DAY CARE SUBSIDY IN
 DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS
 IF LICENSING FUNCTION REMAINS IN DEPARTMENT OF HEALTH AND SOCIAL SERVICES

	<u>Day Care Subsidies</u>	<u>Administration</u>	<u>Position Strength</u>	<u>% Administration Costs for Delivery of Service</u>
<u>Current Subsidies</u>				
Existing Program (Governor's Budget)	\$1,200,000	\$126,100	3	10.5%
<u>AFDC Day Care</u>				
Transfer of General Fund from Dept. of Health and Social Svcs.	\$219,800	Ø	Ø	----
New "Appropriation" Required	\$112,690	Ø	Ø	----
Total:	<u>\$1,532,490</u>	<u>\$126,100</u>	<u>3</u>	<u>8.2%</u>


STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

POUCH Y STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

MEMORANDUM

May 13, 1976

SUBJECT: SB 753
TO: Marsha Hubbard
FROM: Billy G. Berrier 

You have asked whether when sections 8 and 9 of this bill are considered together all municipalities in the state incorporated under state law would have the power to licensed day care facilities. The answer, with the possible exceptions of third class boroughs, is yes.

Section 29.48.035 creates regulatory powers applicable to all municipalities so that all municipalities would have this power. First and second class boroughs are limited in the powers they may exercise by requirements that they assume powers. Section 9 of the bill however, specifically provides that licensing of day care facilities is at the option of the borough and is not subject to those restrictions on acquisition of additional borough powers.

If this bill were adopted, first and second class boroughs and first and second class cities could assume licensing of day care facilities simply on adoption of an ordinance.

BGB:bh

SB 753 Jay Cane 5/6

- Dept C&RA
- Dept H&SS
- Sen. Colletta
- Sen. Chance
- Sen. Ferguson
- Aletta Henri, Henri House & St Jude's Center
- Governor's Office - Sue Greene, Jesse Dadsan, Fran Ulmer
- Susan Clark, LWV

REVISED
4-10

Day Care Program
AS OF 3-31-76

3-2
HP

1	2	3	4	5	6	7	8
Location	Date of Contract thru 6/30			Total of Contract	(61) No. of Children subsidized	Billings to date	Billing As of
1 Anchorage	9-1			532,000	371	80,718	Pre paid 266,000
4 Anderson	11-1			9,600	10	1,105	MAR 31
7 Bethel	9-1			16,400	17	4,671	JAN 31
10 Fairbanks	11-15			130,000	39	11,941	Feb 29
13 Kodiak	10-1			25,200	6	1,093	Feb 29
16 Homer	12-1			10,000	2	117	Feb 29
19 Juneau	9-1			103,200	84	39,423	Feb 29
22 Petersburg	9-1			11,200	28	10,906	MAR 31
25 Wasilla	10-1			24,400	12	5,532	Feb 29
28 Copper Center	12-15			10,000	-	-	-
31 Nome	12-15			10,000	-	-	-
Totals				882,000	569	155,556	
				7,200	1		

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
 Second Session - Ninth Legislature

I. REQUEST

Bill No. SB 753

Title: An Act relating to Day Care

Requested by: _____ Date: _____

Return Date Requested: _____

Agency: Health & Social Services Program: Social Services

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Social Services & Program Services

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES		(241.1)	0			
200 TRAVEL		(4.6)	0			
300 CONTRACTUAL		(688.1)	0			
400 COMMODITIES		(3.9)	0			
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		(910.7)	0			

B. FUNDING: (Thousands of dollars)

GENERAL FUND		(325.1)	0			
FEDERAL FUNDS		(585.6)	0			
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	(9) /	0 /	/	/	/
MAN MONTHS (P./T.)	/	(108) /	0 /	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Enactment of this legislation would result in the deletion of 9 Child Care Specialist positions and related costs, as well as elimination of the purchase of day care service programs as follows:

	<u>Social Service BRU</u>	<u>Program Service BRU</u>
100	(\$214.1)	-
200	(4.6)	-
300	(5.0)	(683.1)
400	(3.9)	-
Total	(\$227.6)	(\$683.1)

IV. ATTACHMENTS

Funding is based upon the average percentage reflected in the Governor's Budget. Federal funds are a part of the ceiling available under Title XX of the Social Security Act.

V. DATE: 5/4 PREPARED BY: Sam J. Granato, Director, Social Services

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

The next question concerns how much usable floor space must be made available in a day care facility for each child according to existing law. ~~13/110/304020/1100110111~~ A standard establishing the required minimum amount of usable floor space for a day care facility caring for six or more people is established in 7AAC 50.220 (a)(8), and 7AAC 50.220 (b) incorporated the standard set out in the Uniform Building Code through 13 AAC 50.020 for day care facilities caring for less than 5 people, but if 7 AAC 50.220 is outside the scope of 47.10.240 and 7 250 with the deletion of licensing authority from DHESS, then only the standards prescribed by the Uniform Building Code, incorporated by reference through 13 AAC 50.220, shall apply. These standards are attached. It should be noted that these standards only apply to day care facilities caring for five or more children.

SENATE BILL NO. 753

Community and Regional Affairs Committee

May 6, 1975

My name is Patricia George. I am a working mother with a child in a licensed day care home in Juneau. I am also an Early Childhood Specialist with the University of Alaska, Southeast. The past eight months I have been delivering an individualized training program on quality day care to licensed as well as un-licensed day care parents. I have had contact with fifty-five day care providers in the field of family day care as well as day care centers.

The statements I make today I make as a concerned citizen and not as a spokesman for the University.

I would like to read into the record ^{nine} eight written testimonies made by people personally involved ⁱⁿ the the profession of child care.

I have many questions and concerns about the proposed legislation. I would now like to raise a few of these.

1. Where does it state in Senate Bill 753 that day care licensing is to be provided by Community and Regional Affairs if the municipalities do not choose to administer the licensing? This is what was inferred in a newspaper report of the passage by the Senate of Bill 753 that appeared in the Alaska Empire on May 3, 1976.

2. Why is it assumed that the municipalities will be willing to accept authority for licensing when several have refused to accept administering of Day Care Assistance funds?

Valdez Council voted against accepting \$9,600 in Day Care Assistance Program funds (Copper Basin News, Oct. 24, 1975). Two Southeast communities, Ketchikan and Sitka, voted against accepting any funds from Community and

Regional Affairs Ketchikan Gateway Borough sued the state. They claimed that the law was unconstitutional, and they refused to administer a program over which they had no control (Ketchikan Daily News, Oct. 17, 1975).

Kodiak sub-contracted \$25,200 of Day Care Assistance funds to a local Rur ALCAP office. This was done after the Kodiak Island Borough quote, "decided last August that for financial reasons, day care services were not that important to the borough's social well-being," end quote (Kodiak Mirror, Dec. 24, 1975).

Fairbanks received only one proposal for the administration of the state funded day care assistance program. The Community Child Care Council (Four C's) bid \$1,502 to administer the program. This was approximately \$3,000 under the cost figure which the borough had suggested earlier for the administering of the \$200,000 available to the Fairbanks area, (Fairbanks News Miner, Oct. 11, 1975). The Four C's bid was turned down by the borough due to a possible conflict of interest. The policy board of the Four C's is made up in part of representatives from child care programs. The borough felt it must insure that there is no connection between the monitoring of day care funds and actual delivery of day care services, (Fairbanks News Miner, Oct. 15, 1975).

The city of Petersburg on the other hand, signed a sub-contract with the Petersburg Day Care Center for the administering of the \$11,200 of Day Care Assistance funds (Nome Nugget, Sept. 12, 1975).

Does this mean that under Senate Bill No. 753 a municipality could sub-contract with a Day Care Center for administering the licensing of Day Care facilities? In other words, having the center license itself?

In Anchorage the municipality is paying for the salaries and administrative expenses of its Day Care Assistance Program's two staff members, (Anchorage Daily Times, Mar. 11, 1976).

How many municipal budgets will be able or willing to support the staff required to do licensing?

3. I have studied the Position Paper by Director of Health and Social Services, Mr. Sam Granato, on Senate Bill 753 and I fully agree with his recommended amendments to this bill. I also agree that it makes sense to have the administering of the Day Care Assistance Program under only one department. I think, however, that it would make more sense to move the entire administrative responsibility of the Day Care Assistance Program to the Dept. of Health and Social Services as it is already administering other assistance programs as well as handling the State Licensing of Day Care Facilities.

4. I attended the recent hearing held by Health and Social Services dealing with the proposed changes in Day Care Licensing Regulations. It was made clear that changes still need to be made in some of the regulations. It was also clear that there has been a great deal of confusion between the requirements for family day care and those for day care centers. I think that time is needed for consideration of the various points brought up at this hearing.

5. Another point that I would like you to consider is the fact that the Department of Health and Social Services, Division of Social Services, has been responsive to the boroughs individual needs. In the recently presented Proposed Day Care Regulations, there was an entirely new section added, Section 7AAC 50.180 CODE REQUIREMENTS, MODIFICATIONS AND WAVERS. I feel the Divisions explanation of this new section is well worth reading at this time.

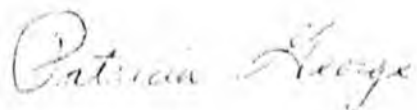
I would like to see this committee study all the possible ramifications of this bill, among those that come to mind, I think the following are especially important.

- a. Loss of State and Federal money.
- b. Loss of the St. Jude Center's Grant.
- c. Loss of the supportive services now provided by SERO.
- d. The possible loss of the proposed \$57,000 Child Welfare Grant to the State. This renewal of the Child Welfare Grant in the past has been based to a large extent on the coordination and cooperation between the University of Alaska/Southeast and the Southeast Regional Office, Division of Social Services.

In conclusion, what are my recommendations? At the very least, consider further study of this proposed Bill over the next year. Have an extensive investigation of rural Alaska needs and desires conducted jointly by Health and Social Services and Community and Regional Affairs. Provide some structure for orderly change!

My greatest concern is for the quality of day care provided at both the center and the family day care levels. Please remember the rights of the child to be provided with and protected by quality day care.

Thank you for your consideration of these matters.



Patricia George
Juneau, Alaska

5/5/76

Concerning day care in Alaska -

As a licensed day care mother, I feel that the State is performing an important service in regulating day care, protecting the young children against inadequate care. The thorough investigation of potential day care families is, I believe, a necessary procedure. It is a basis for those parents who have to leave their children, in choosing reliable people.

Therefore, I believe that this supervision by the State should not be abruptly terminated as proposed. It seems that this proposal will not benefit the children, who are after all the ones who stand to lose by it. I think we should all take more time to look at and improve the current and proposed

2

regulations and not make a
snap decision to abolish all of
the good things the state has
accomplished thus far with
day care.

Mrs. Lynn Szepanski
- Juneau, Alaska

5 May 76

Re: Senate Bill No. 753

"An act relating to day care."

As a licensed Day Care Mother, I urge you not to pass this bill. I fear that passage of Senate Bill No. 753 will lead to a decrease in the quality of day care services now available.

The criticism regarding the State's alleged inability to promulgate regulations fair to all Alaskans is not a valid concern. The pending regulations proposed by the Department of Health & Social Services do, in my opinion, take into account the differing circumstances within Alaska's communities.

I believe it is in the best interest of our children to have uniform standards of care. This can be best achieved only at the state level.

Susan A. Brown

For the attention of:
Chairman and Members of Community for Regional Affairs Committee
Concerning Senate Bill #753

Please consider and discuss these thoughts at today's hearing as they apply to Senate Bill #753:

Is it necessary to transfer responsibility of licensing from one agency to another? Why? Was this bill discussed with knowledgeable State and Borough Health and Social Service personnel before it was written?

If there is a definite benefit to transfer these responsibilities, there may not be need for concern. But, how many areas in Alaska would be able to absorb this responsibility without disrupting the centers and institutions programs? Can a transfer be made in an orderly and effective manner so as not to lose federal and state monies--which the public centers rely upon for servicing disadvantaged and low income families?

My first concern is for the welfare of children whose mothers must work to help support the family unit. I feel it is far more important to encourage gainful employment than to create a situation of possibly more welfare, especially when welfare is not wanted by these individuals.

The private babysitter may feel that obtaining a business license and special insurance is infringing upon their personal affairs. But if the requirements for certification by Health & Social Services are looked at calmly, it certainly is to the benefit of the babysitter and the working parent. For instance, a Time test once a year, testing of the drinking water, very basic fire requirements are in effect protecting both parties. The requirements are not excessive. Perhaps it is a nuisance, but certainly not unworthy.

I became aware of these requirements in conjunction with the preschool setting that I conduct in our home. Admittedly I viewed the paperwork a bit grudgingly until I realized that the procedure was certainly more for my students and my own benefit. Incidentally, the personnel handling the procedure were pleasant, helpful and cooperative.

Please do not take hurried action that would jeopardize the welfare of many preschool, mentally retarded and underprivileged children.

Thank you for this time.

Sincerely,

Lucile Olson
Lucile Olson
4207 Mendenhall Blvd
Juneau, Alaska 99803

May 5, 1976

RE: SENATE BILL NO.753

For the attention of the chairman and members of the Community
and Regional Affairs Committee;

As a licensed Day Care Mother, I urge you not to pass this bill.

I fear that passage of Senate Bill No. 753 will lead to a decrease
in the quality of day care services now available.

Virginia Drenski

Virginia Drenski

As I understand it, the Federal
contribution will be cut off for
helping the mothers pay for their
day care if this bill is passed.
I think more time should be
given to consider this measure.
I help for some children
that are being helped with
the payment of 50% of the cost.
I know if the mother has to
pay all of the bill I will be
getting checks that will bounce
again. Please, I do not
want to be the one who get
the short end. If this bill
could be set aside for more
consideration I think it should
be done. *Virginia Drenski*

I am a day care mother who has just gone through final screening for a day care license. I feel it is important that I speak up about the Senate Bill # 753 that is presently before the legislature.

I am against removing day care licensing from state jurisdiction to municipal. Ideally it would be wonderful if we could trust all parents to find good day care for their children. However, we know that there are many parents who really don't care or cannot afford private day care so the state wisely made a law protecting these children by requiring licensing. The problem now is to find the best department to supervise such licensing. Quite frankly I don't believe the cities can handle this. Having licensing under state control automatically insures uniformity in large and small communities. As Bill #753 is written now, day care centers in small towns and villages are not supervised at all. These particular centers should be a priority on control as they are frequently the most poorly run.

After just dealing with the Department of Health and Social Services, I have no complaints as to their methods of licensing. Granted, some of their requirements did put me out some, but they made my home a safer day care and that is exactly what I would expect if I needed a day care for my children.

Alaska day care laws are more lenient than many of those in the Lower 48. To listen to the cries of large day care centers concerning Child/adult ratios is to further lower our standards and make an already lucrative business more so by sacrificing individual child care for lower overhead costs. The state licensing standards are designed to weed out such centers and concentrate more fully on the child.

These and other questions are on the long list of day care problems. They are certainly not going to be solved by shuffling them from one department to another. Removing state jurisdiction will only stir up another batch of problems by leaving many welfare children without day care while city and state ~~state~~ haggle over who should supervise.

I am asking you to please consider leaving licensing under Health and Social Services or find another alternative to Bill # 453 before passing it.

Kathy Nichols
Juneau, Ak.

Rt. 4 Box 4350-18
Juneau, AK 99803
May 4, 1976

Community & Regional Affairs
Sam Cotten, Chairman
Juneau, Alaska 99801

Dear Sir:

I am writing in regard to Senate Bill 753. I feel this bill will not help the Day Care Situation in Alaska. As a Day Care mother who has lived in various parts of the state, I have seen the need for at least minimum standards of care, safety, and concern for both day care homes and centers.

Therefore, I believe that these standards can best be set and maintained by the state.

Sincerely,
Mary D. Coyle
Licensed Family Day Care Provider

For the attention of:

Chairman and Members of Community for Regional Affairs Committee

Concerning Senate Bill #753

As a licensed day care person in the municipality of Juneau I am against Senate bill #753 for the following reasons:

1) I feel that it is necessary to have adequate regulations for the licensing of day care persons. These are already provided for and enforced by the State Department of Health and Social Services and I don't feel that the city council would provide better services if they acted at all.

2) Of utmost importance is the need to provide quality day care facilities for children and protect their rights to insure that abuse or neglect does not take place. This bill does nothing to insure that.

Sincerely,

Francis Hill
Douglas, Alaska

Re: Senate Bill No. 753

Please take additional time to study fully the implications of this bill before acting on it. I believe the resulting loss of federal funds to our state and community would be severely felt.

The entire tone of the proposal appears to be a giant step backward for quality child care in Alaska.

Marjorie Fields

Marjorie Fields

Child Development Specialist
University of Alaska, Juneau

1624 Glacier Avenue
Juneau, Alaska 99801
May 7, 1976

Attention: Community and Regional Affairs Committee and Chairman
Re: Senate Bill No. 753

Chairman and Committee members,

Senate Bill No. 753 should be reviewed and
delved into more deeply before anyone would consider
voting it into existence. I consider the bill, as it
now stands, detrimental to day care in Alaska.

Sincerely,
Arlene M. Carroll
Humpty Dumpty Prashosi

CENTER OPERATORS

Anita Rutledge
Dawn Faverty
Michelle Dicker
Ruth Mounts
Judy Carney
Valarie Todda
Mrs. Don Stakes

FAMILY DAY CARE HOMES

Mac Priesden
Trudy Green
Cathy Eggleston
Mary Huelsman
Ardis Mathews
Ursula Katik

MEMORANDUM
LEAGUE OF WOMEN VOTERS OF ALASKA

TO: Members of the House Community and Regional
Affairs Committee, Sam Cotten, Chair
FROM: Susan R. Clark, Human Resources Lobbyist
SUBJECT: SB 753 (Relating to Day Care)

DATE: 6 May 1976

The League of Women Voters of Alaska strongly opposes the passage of SB 753 at this time. One major objection is the haste with which this particular bill has been wisked through the legislative process with what we believe to be blatant disregard for informed public input, comments from municipalities affected, or even input from experts in the field. We understand that the City of Anchorage did not even receive a copy of the bill until it had already passed the Senate.

The principles upon which the League was founded include the belief that democratic government requires that governmental bodies protect the citizen's right to know by giving adequate notice of proposed action. The importance of this principle to this particular bill is that SB 753 presents a major departure from the present system of Alaskan child care regulation. Such a radical departure should not be taken on lightly without thoughtful discussion and careful consideration and planning by citizens, by governments, by families and care providers affected. Public hearings should be automatic in cases where changes are as major as those brought about by this bill.

It is ironic that the Department of Health and Social Services has been under fire for over 3 years from the League and other groups because of outdated regulations in effect. And just when they get it all together and they have finally received needed public input, and have agreed to substantially revise the proposed regulations according to that public input, the legislature now seeks to negate that effort and expense (and incidentally without benefit of public hearings) just when completion is neared.

I do feel it is important to say here that our ire is primarily directed at the Senate's cursory handling of this bill; and at the same time I think it appropriate to commend this House Committee on Community and Regional Affairs for consistantly expending effort to assure that informed public input is received by committee members concerning bills before them. Adequate notice of proposed actions, open meetings, and accessible public records are all significant contributions that this committee is making toward the democratic process.

Concerning this bill, our point of disagreement is not specifically the proposed change of department from Health and Social Services to Community and Regional Affairs. Either department is equipped to handle the administration of day care. We believe, however, that certain statewide regulations and minimum standards are necessary, and even for facilities that do not receive public monies. We firmly believe that local communities

League of Women Voters of Alaska on SB 753

should participate in the standards which govern them, but we also believe that there are basic levels of safety and care that are necessary for the protection of children. For example, we believe that tight child-staff ratios are essential in a full day care situation. Neither the bush caregiver nor the urban caregiver acting alone can adequately handle large numbers of children on a full day basis and still be able to give each of the young children the individual attention s/he needs. We are talking about what is normally a full 8 to 10 hour day of care for children of working parents, and care which must necessarily substitute for parental care for the major portion of a child's waking day.

When the League of Women Voters requested the introduction last session of the Community and Regional Affairs day care subsidy bill, we were particularly concerned about the lower income single parents who had no choice but to work and who were unable to afford nurturing care for their children. We offered the subsidy solution because we were not content with the possibility that children on the lower end of the socio-economic scale might be relegated to low cost facilities with standards so low that adequate care for the child could not be maintained. It is a fact that quality care does cost more than minimum care. And the League believes that no child is owed less than full nurturing care which we define to be that in which the caregiver is aware of and attempts to meet the individual needs of each child. Our belief in quality was strong enough that we urged the State to expend more than a million dollars to assure that Alaskans could purchase adequate child care. Minimum custodial care has been a fact of life in our country and state for too long. It is termed the "warehousing" of children. The League feels strongly that such custodial care, in which the physical safety of a child is the only consideration, is unacceptable whether or not State money is going into the program. Under this bill a municipality may choose not to develop any regulations or standards regarding day care.

We realize that current licensing problems particularly affect the bush areas. Today there are no licensed facilities anywhere in the unorganized borough because of currently enforced licensing standards (including sanitation and fire code regulations). In this bill the unorganized borough need not meet standards associated with quality, but they must still meet fire and sanitation codes which is the prime reason that they ~~cannot~~ have had problems being licensed up until now. They simply do not all have, for example, adequate screening or insulation of oil or wood burning stoves, or exit doors which are not less than 6½ feet high, or one-hour fire-resistive occupancy separation (fire wall) around laundries, storage rooms, furnace rooms or other hazardous areas. I believe a perusal of the fire code for day care centers and day care homes would be most enlightening to members of this committee. Fire code regulations and sanitation regulations have been no more appropriate to the locale than have been the past day care regulations. But in none would we advocate a complete doing away with appropriate minimum statewide standards.

Instead of doing away with all regulations concerning the health and well being of our children, perhaps Alaska ought to begin responding to the regional differences (which we are always pointing out to Federal officials) by specifically creating separate regulations for communities of

League of Women Voters of Alaska on SB 753

the unorganized borough, regulations that are aired in public hearings in the areas which are specifically affected. But doing away with all regulations because a few are inappropriate to the locale is unacceptable.

In closing we would like to point out that communities need time to gear up for the tremendous burden that this bill would thrust upon them. They need time for staff expansion and budget adjustment (most have already finalized their budgets for next year), and they especially need time for thoughtful consideration of how this bill would be implemented and what the ramifications would be. Fairbanks, especially, with its pipeline impact would certainly be hit hard by this bill, as would Juneau which is even now cutting back important staff positions because of tight funding. And I do not believe that the minimum expenditure of energy and funds required of communities to meet the CRA subsidy requirements in any way compares to the major responsibilities that communities would face with this bill.

Secondly, we believe that to what ever department day care falls, that department must develop at least some minimum statewide standards especially in terms of child-staff ratios, safe environments, and the provision of nutritional meals and snacks. To do otherwise would encourage the proliferation of poor care, profits at the expense of children's early childhood growth, and the relegation of much of child care back to the low status, low pay level from which we have all been trying to raise it.

We urge that this bill remain in committee (or perhaps be referred to members of the Legislative Council) to allow time for public hearings, the seeking of public input, and the application of forethought and research to the particulars of this bill so that we are not caught with too many afterthoughts that are too late for correction.

Day Care

STATEMENT OF POSITION: The League of Women Voters of Alaska supports day care for everyone who needs or wants it with priority given to those children whose need is greatest. The members of the League believe users should be primarily responsible for day care financing. Supplemental financial and regulatory responsibilities should be shared by all levels of government to insure that day care is of high quality and available to those who need it.

AMPLIFICATION: Day care objectives include providing enriching and varied experiences for children of parents who must or choose to work, of parents who are physically handicapped or who need emotional relief from childrearing. Day care might also provide social, emotional and developmental experiences which may be lacking in the home or provide protective service, emergency care or drop-in care. Parental involvement should be strongly encouraged in any day care situation.

Available care should go to those children whose need is greatest: children of parents who must work or who are physically or emotionally incapable of full time child care.

Parents' determination of whether to send their children or where to send them for day care should in all instances be voluntary. To provide a choice, different types of care should be available with an emphasis on center care and family home day care, but including in-home day care. Facilities are acceptable in any safe place, e.g., a storefront, public or private building, portable unit, or other location.

Nurturing care, that in which the caregiver is aware of and attempts to meet the individual needs of each child, is the minimum each child should receive on a full time or regular basis. Custodial care, meeting physical safety needs alone, is unacceptable for day care. Emphasis should be placed upon comprehensive care, i.e., care provided by a person educated, experienced and/or trained in dealing with the special needs of young children and able to meet those needs on an individual basis. Day care for the unstable or developmentally deprived child requires specially trained staff.

Essential in a full day care situation are a tight child-staff ratio and the provision of nutritional meals and snacks. Another important consideration is the availability of parent training and counseling.

Regulations and standards appropriate to the locale and involving health, nutrition, safety, space per child, and staff training should be adopted by state and local governments. Coordination of local, state and federal standards is essential. Regulatory licensing by the state for day care is necessary, but business licenses are not.

The League of Women Voters of Alaska believes there should be differentiation between day care and pre-elementary school programs. All programs dealing with pre-school age children should meet standards of early childhood growth principles. Specific requirements should be related to the number of hours per day a child is in attendance.

Users should have primary responsibility for day care financing based upon the ability of the parent to pay. However, governments should provide for partial subsidies of start-up costs, staff training costs, and child care costs figured on a percentage of the average cost per child.

Members suggest that local schools could be involved in providing space and training for day care needs. This might be in the form of summertime or after school use of facilities, parent education, and educating older children in the care of younger children.

Established 1976
League of Women Voters of Alaska

POSITION PAPER

ON

SENATE BILL NO. 753

"An Act relating to day care."

The bill appears to provide for the following:

- (1) deletes authority for licensing of nurseries (day care facilities) by the Department of Health and Social Services;
- (2) provides authority for licensing of day care facilities by municipalities selecting to do so;
- (3) provides authority for licensing of day care facilities by first and second class boroughs;
- (4) provides that participants in the Work Incentive Program are not eligible for day care assistance benefits administered by the Department of Community and Regional Affairs;
- (5) prohibits the Department of Health and Social Services from expending State or Federal funds for day care for families receiving Aid to Families with Dependent Children (AFDC) financial assistance who also are eligible for benefits provided through the day care assistance program of the Department of Community and Regional Affairs;
- (6) Changes the definition of "day care facility" as referred to in the day care assistance program to include (a) a center or home located in a city or organized borough which is licensed by the governmental unit, and (b) unlicensed centers or homes located in the unorganized borough.
- (7) Changes the definition of "child" to include all children below age 7 years and a child of any age eligible for AFDC assistance who is living with a family receiving AFDC benefits.

The regulation of day care facilities through licensing has been a recognized "preventive" child welfare service since the time of the Civil War. Like public health work, day care licensing looks to the future of avoiding predictable harm to children. Its purpose is to provide a floor of quality below which day care service cannot drop, assuring parents a basic kind of consumer protection service. Not all parents are either prepared or able to evaluate the areas of risk which might exist in a day care program in which their young children will be spending the majority of their waking hours, during the most vulnerable and impressionable years of their life. Because of the vulnerability of young children and the potential risk known to exist in inadequate day care programs, the Department strongly supports continuation of a day care licensing program within the State.

The historical placement of licensing responsibility at the

POSITION PAPER / Department of Health and Social Services

POSITION PAPER

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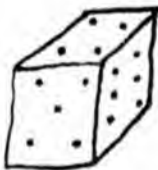
State level has primarily resulted from an adherence to the principle of equal protection under the law, equally applied throughout the State. Delegation of licensing authority from the State to local governmental units need not necessarily work counter to this principle, provided that there is consistent application of the law and that the protective purposes of licensing are preserved through the standards required for licensure.

The proposed bill fails to guarantee equal treatment or assurance that standards for licensure will provide adequate protection. It is recommended, therefore, that the bill be amended to (1) require local governments to establish and enforce a program of day care licensing, and (2) delineate those areas of protection, i.e., staffing requirements, facility safety requirements, etc., which must be included in local licensing standards.

In addition, it is recommended that the bill be amended to mandate the extension to children living in unorganized boroughs the protection offered by licensing.

The transfer from the Department of Health and Social Services to the Department of Community and Regional Affairs of responsibility for provision of day care services for children in AFDC recipient families is sound, in that it reduces the confusion for parents which results from having two different State agencies operate a day care program, and permits the orderly and planned development and improvement of day care services within the State. Although the Department of Health and Social Services is, in our view, the appropriate location for such administrative responsibility, the importance of consolidating the two programs into one supersedes this and we, thus, do not object to the transfer.

Several changes, however, are necessary in the bill in order to insure appropriate services to children requiring day care financed with State support. As indicated above, the establishment of a licensing program by local government should be made mandatory, rather than permissive, to ensure needed protection for all children. A second important reason for mandating a licensing program is to ensure the availability of day care services for those children requiring such service who may live in an area where the local governmental unit has elected not to establish a licensing program. The proposed amendment of A.S. 44.47.310 (1) would not permit the Department of Community and Regional Affairs to provide day care services for children in those areas where the city or organized borough failed to establish a licensing program. The proposed amendment would, however, permit children living in unorganized boroughs to receive benefits under the day care assistance program, even though the facility were not licensed.



POSITION PAPER / Department of Health and Social Services

We propose that this inequity be corrected.

From a fiscal standpoint, passage of the bill would necessitate:

- (1) elimination of nine (9) child care licensing positions from the Division of Social Services, and
- (2) elimination of the purchase of day care service program,

which would result in reduction of approximately \$325,100 State funds, and loss of \$585,600 Title XX, Social Security Act, funds.

Recommended By Sam J. Granato 5/4/76
 (Director) Sam J. Granato (Date)

Approved By Francis S. Williamson 5/4/76
 (Commissioner) (Date)

Comments by Governor's Office:

By: _____ (Date)

POSITION PAPER / Department of Health and Social Service



CATHOLIC COMMUNITY SERVICE

JUNEAU 99801
529 GOLD STREET
ROOM 233
586 - 2534

KETCHIKAN 99901
2725 4TH. STREET
225 - 6478

Mr. Sam Cotten, Chairman
Committee on Community Affairs
House of Representatives
Juneau, Alaska

Dear Mr. Cotten:

I wish to add my voice to those in distinct opposition to Senate Bill 753. Removing the licensing of day care centers and homes from the responsibility of the Department of Health and Social Services in essence removes the protection of the State from the most vulnerable of its citizens.

SB753 allows municipalities to take on licensing responsibility but offers no care for children in areas where the local government chooses not to take on this task nor does it protect children in areas where no local government is responsible. For years people who are concerned about day care have worked for better licensing regulations. Every state in the Union except one vest their licensing procedure in Health and Social Services Departments. These are people who know by experience and training about the day care field. It always take some tragedy to bring to public attention the need for licensing homes so that a basic minimum of care is given.

Our agency works with about 100 children in care from ages 5 months to 6 years. Good care demands that certain standards be maintained. We find the staff from the Department of Health and Social Services to be of the utmost help to us. They provide training, coordination and support.

I request that you do not pass SB 753.

Respectfully yours,

Patricia Denny

Representative Sam Cotten

Sam, I wonder about this as a possible compromise:

- 1) Transfer the AFDC day care program to the CRA program.

this would eliminate the very real problem with the Title XX regulations which we cannot meet in this state.

- 2) Leave the licensing responsibility with DSS as the child welfare agent of the state.
- 3) Mandate DSS to bring to the legislature in January 1977 a plan for delegation of the licensing authority to local municipalities beginning with those municipalities identified by CRA and DSS as having the most difficulties with licensing and the regulations. I presume from discussions with Eric Lee that this would be in rural Alaska

It appears that this would solve the immediate Title XX problem, and would force the development of local licensing delegation and standards while retaining State child protection responsibility.

Margaret Wolfe
P. O. Box 1572
Anchorage, Alaska 99510

home phone 272-7698
work 276-6751

Margaret Wolfe

LL 11 10
Bethel

Testimony of Susan Taylor, Administrative Director, Bethel Social Services, Inc.

It is my firm opinion that this so-called "public hearing" is not only meaningless, but it is also illegal. Meaningless because the state seems to get public input only because the feds demand it; illegal because there has been no publicity and notice of this local meeting. Mr. Price of the local Div. of Social Services office, sent me the proposed Day Care regs. on March 16 and advised me of this meeting. He did not tell me that the meeting is also to discuss Title XX. I have heard nothing about either Day Care or Title XX on any form of local media. Having organized two public hearings, I was under the impression that a two-week notification period was necessary. No one to whom I have spoken knows anything about this meeting, and copies of the State Plan under Title XX has not been reviewed by anyone outside of the Department of Health & Social Services, as far as I know.

Having not seen the Title XX plan, I will presume that it reads much the same as last year's plan. If this is the case, then I would like to state that the State should write into its plan some room for flexibility and for innovative programs. Basically, the State should consider alternatives for social services, since it is clear that they have not been too successful in meeting the needs of Alaskans in need. *eg working with Community Groups, contracting out child protection, sharing responsibilities with private agencies, tapping many resources, etc*

My general comments regarding the proposed Day Care regs. are all negative. The regulations seem to give the State of Alaska as much POWER as possible, but no responsibility. Throughout the regulations, little consideration is given to the actual providers of the service and to the parents or guardians of the children to be served. The regs. imply that both providers and parents do not care for the children, but that the State, in fact, does. There are many of us who know the reverse is true. Should we assume that parents do not care enough, or are far too ignorant, to choose a Center well? Is this why the State, on paper only, will make all Centers and Day Care homes, "quality places of care with only the highest standards?"

My specific comments are as follows:

7AAC 50.120 Statutory Authority: The State has deleted a section from the existing regs which speaks to the "encouragement in the development or establishment of day Care facilities with high standards." Regardless of the fact that the new regs. seem to want to spell these out, there is, in fact, nothing in the new regs that indicate that the State wants to encourage the development of quality programs. The truth of the matter is that the State has almost always been a detriment to the establishment of programs, and with the new regulations, wants to increase its adversary role. Those of us who operate programs hear from the State only when it wants information for the feds. or when they think someone is wrong. There is little support or encouragement for service-oriented programs.

.130 Definitions- The definition for a Family Day Care Home is quite unclear. It is difficult for most people to comprehend. It should be changed to make sense to any or all who choose to read. My question is who will determine ~~for~~ what ages a Home or Center will serve? Perhaps this should be a part of the regulations.

.150 Licensing Application Procedures- Part (b) states that "Upon receipt of a signed application, a licensing representative shall..." Since licensing representatives are either overworked or unresponsive, depending on your point of view, there should be a time period spelled out, so that programs do not suffer or not operate because some licensing representative does not care to travel.

.160 Annual Licensing Renewal Procedure- Part (a) (1) "Upon application... 60 days prior, and (2) "Upon satisfactory completion..." and (3) "No later than ten days prior to the expiration, a written report...". My comments and questions on this section are: Does the Center or provider need to make such annual requests for relicensing? Does the Division of Social Services do such automatically? If so such administration is theoretically done by the Division, and since they appear to be so interested in the programs, then the Division should be on top of the situation and the time frame. They should inform Centers and Homes of the fact that the time is near, and they should send out the appropriate forms to complete. In reference to (2) the mandatory field visit should be made by the Division at the Center's convenience. The Division should notify the Centers and Homes of the fact that expiration time is nearing, send out appropriate forms, and ask when it is a convenient time for the Center or Home for the field visit. For part (3), more time should be given rather than the ten days for the report for the Center to review. If the report is negative, and does not recommend relicensing, the Center should have ample time to respond, either on an appeal basis, or time to correct deficiencies noted.

.170 Special Provisions- Part (a) gives freedom to the Division but nothing to the providers. A section should be included which speaks to a time that is mutually convenient to the Division and to the program.

.180 Code Requirements, Modifications, and Waivers - If programs must go through the fire marshal in regards to waivers on fire code, then to whom shall a Center or Home apply for waivers for sanitation? If it is to be the Division, then the Division should make its policy known to the sanitarians and OHL. There are too many problems as is when fire marshal is not communicating with program licensing people who don't communicate with the sanitarians, etc. The Centers and Homes get caught in the middle. It is my feeling that as the fire codes belong appropriately with the fire marshal, then likewise, all issues involving sanitation should remain with the Sanitarians with OHL.

.190 Administrative Requirements- Part (b) (8) speaks to adequate financial resources. Is the "cash reserve" defined as the potential or actual. How will licensing personnel at time of license review determine this? Are assets counted, or accounts receivable, or just cash in the bank? If a Center does not have "adequate financial resources," will the State assist in getting the Center there (as I believe the State should) or simply close the needed program down?

.200 Ensuring Care in Emergencies - Part (b) If having flashlights in Centers is going to be part of the law, then the State should provide them. It gets into a larger issue of the State presuming that the actual providers are fairly ignorant (e.g., let them stumble in the dark) and that parents are basically uncaring as to whom is caring for their children.

Part (c) the chart on first aid, mentioned here, should be distributed by the Child Care Specialists or whomever, as they should have the time and the resources to discover what is available for Centers. Part (c) refers to first aid training for a staff person. Again, this presupposes that the providers and the parents are uncaring, thoughtless, etc. If both providers and parents are comfortable with an existing situation in which no one has formalized training, then why should the State regulate otherwise? As it stands now, no one on my staff has such formalized training. However, I trust 75% of my staff to handle emergency care well and to know who and how to call for additional help. If such First Aid training is mandatory, then it should likewise be up to the State to: 1) pay for an individual to receive such training, including transportation costs if necessary, and 2) pay the cost to replace that person as staff at the Center during his/her absence. Section (i) should make specific reference to the State's Child Protection Law, so it will be read in depth by those who care, or are otherwise involved with children. In Part (j), the regs state that children left in care for 16 hours without parental contact should be reported to the local Division of Social Services. Just like the Child Protection Law, what happens to this reg. when a Center or a Home is unable to get in touch with the Division (they usually close before a center does or often, no one is around but clerical staff)?

.210 Caregiver Qualifications - Part (1) refers to TB tests. In this, the "member of the family household" should also have tests. This should be deleted, as an employee should not be penalized if someone in the family refuses to comply. On part (2), the Division should supply Centers and Homes with ONE SIMPLE STANDARD FORM for such physicals. In Part (4) in which "each caregiver...shall furnish the names..." it does seem again like an intrusion by the State. If a local community board, made up partially of parents, runs a Center, why cannot they hire an operator? If there is a need for references (and in some small towns and villages, there is no need), shouldn't this be up to the local board to determine? What will be the outcome if the operator must send three names to the Division? What if the references do not meet with State approval? Do programs close? Are personnel fired? It seems that the State forgets that they, in fact, do NOT own and operate Centers; they simply pay for actual cost of care for a very few specific children.

In part (b) of this same section, the regs state that "each caregiver shall have the skill and competency necessary to contribute to a child's physical, intellectual, personal, and social development..." How will the State of Alaska determine this? What are the measurements? Are they objective, so as to avoid personality conflicts between people in the Division and the actual providers of service? In part (b) (2c) the training that is referred to here MUST, SHOULD and SHALL BE provided under the auspices of the State, especially as Title XX is concerned. If the state is interested in improving care, then they should do something tangible to prove so. They speak often of training, but seem to confine ongoing training to their own employees, rather than to those program people.

.230 Program Requirements - Sections (1) through (9) should be simply deleted. All such program components should be determined by Centers, parents, and local Boards, on the assumption that they all care about children, and some of whom are as "professional" as Division employees. Beyond that, these regulations are meaningless, as they are basically unenforceable. Why make regulations that cannot be enforced, but only used against someone or used as a prevention to the establishment of programs? The new regs should be similar to the old regulations under section .240 (General Program) which states that Centers "shall provide a program of varied planned activities."

Part (9A) refers to the "quantity of materials and equipment." If the State can possibly determine that the quantity is insufficient (which would be extremely hard to prove in a short field visit by someone outside the program), then the State should also be responsible for helping to supply that Center with whatever is considered an adequate quantity. This can be done in a number of fashions. They can simply buy materials for Centers since the State seems to feel that it is actually providing the service of child care, when, in fact, it is simply buying it, or the "specialists" can pursue other means for programs or they can collect an inventory of surplus items in Centers across the State and help to exchange information between Centers Statewide, etc.

In conclusion, I would like to state that I wonder when and if the State of Alaska will become supportive of programs operated by individuals or private agencies. Should not the role of child care specialists and licensing consultants and all those similar positions be to support, encourage, assist, constructively criticize Child Care programs? Why should the State pay lip service to programs? The State is too quick to want to assume a position of power but not one of responsibility. They want to make unenforceable regulations but do not speak to actually assisting Centers, training staff, initiating innovative programs, etc. These regulations usually point out the fact that the State seems to think of itself as superior and all-knowing, distrustful of caregivers, operators, local boards, and parents. Such an attitude, and its accompanying regulations, will not improve the quality of care. It will only serve to decrease the number of services and alternatives available to the children of this State.

If the Division of Social Services has not heard, there has been a large movement by both the State and the Federal Government to de-centralize and to get things together on a community level. This should be true of Child Care programs as well. I believe that the State should have a few basic, simple guidelines to ensure the health, safety and well-being of children. But they should leave hiring, equipment, numbers, ages, program components, hours of operation, needs, etc. to those people actually running programs, along with community groups made up of parents, agencies, etc. Perhaps there should be regulations to that effect.

May 2, 1976
P. O. Box 1572
Anchorage, Alaska 99510

Representative Susan Sullivan
Chairperson, House HESS Committee
Alaska State House
Pouch V
Juneau, Alaska 99801

Dear Representative Sullivan:

I am extremely concerned about the bill to remove the State from the responsibility for licensing day care homes and centers. The enclosed copies of old Anchorage newspapers serve to confirm that this is not a new problem. Licensing is basically a child protection service, and the idea is to establish a floor of service below which no provider can fall and still be allowed to operate a day care program. I know that the new proposed revision of the State day care regulations does probably not meet that definition. There are several sections of that proposal which are ideal, and should be deleted from requirements as defined above.

On the other hand, child abuse or neglect--and that is really what we are discussing preventing when we discuss licensing--at the bottom line is that which the community defines as neglect or abuse. So within certain limits, communities should have the prerogative to identify standards. Therefore the provision in the proposal for a waiver which will develop into types of amendments for parts of the State is a good provision.

I would strongly support a system whereby there were overall minimal State standards with contracts for enforcement with those municipalities who had developed the concern and the ability to meet those child protection needs. With such municipalities free to strengthen the regulations as local conditions warranted.

My concern is for those children in care in municipalities who do not care to enforce regulations and those in the parts of the State not covered by local governmental entities. Those children are entitled to child protection services also! The history in Alaska--as well as other states--is not very good in the whole field of child protection and licensing. For many reasons. To eliminate the state from the basic licensing and standard setting role would be a major defeat for childrens services in Alaska. Please do every thing you can to slow down this ill advised action until there can be a real dialogue about the affects of such action on a statewide basis. At the very least, the effective date should be moved to July 1977 to give municipalities an opportunity to plan to meet this major new responsibility.

In great concern,

Margaret Wolfe

(over)

Case Documentation on problem day care settings:

1) Family A had a disabled child. They were seriously neglecting this child, to the extent that court action was indicated. The Anchorage Health Dept. and the State Health Dept were able to arrange for special care for the child at the treatment center, only by personally transporting the child. The parents refused to care for the child's needs. However the mother was providing day care--of poor quality and in a filthy setting--and it was necessary for the State Division of Family and Children Services to force her to close. In the last few weeks we have received information that she was again wanting to care for children. Only the State licensing authority was able to avert the possibility of this neglecting abusive placement for children.

2) We received a complaint on family B. Upon receiving this complaint, I visited the home. There were twelve children in the attached, converted garage. This area had concrete flooring with a very small area rug. The room was cold. I had my parka on, and was chilly standing there. The oldest child was five, the youngest was three months. When I knocked on the door, the woman was sitting in her kitchen drinking hot coffee and reading the paper. The door between the garage and the rest of the house was closed, and the children were unattended. When we opened the door to the garage, the children were playing with about 5-6 scraps of toy cars and the canned goods from the storage area in the garage. The young infant was crying in that low hopeless kean that an unattended baby who has been left a long time will develop. This home was closed immediately since she was caring for more than six children and therefore would have been required to have a center license--there was no way she was meeting children's needs or could be licensed as a center. The family day care staff agreed with our assessment and the lady went into other employment.

3) Another complaint acted upon found at investigation that there were 20 children attended by a seventeen year old girl. 12 of the children were under two years old, and the infants were lying in the sink, on the table and on the floor. The attendant was simply unable to care for that many children, and so as you can imagine they and the place were dirty. Emotional needs not even recognized, much less met.

4) In the last six years there is one family which has caused us concern again and again. The woman once did a good job of foster care. But age, senility, and emotional disturbance made it necessary for the Department to revoke her license. So she went into day care. She had cribs stacked in a crowded apartment, dirty and unattended children, and fifteen infants with one elderly woman. It has been necessary for the State, then the Health Dept. and once the fire department to close this lady. She then reopens, parents use her, and we have to again react with authority to protect children. This lady even went to the newspapers, who did a real sob story about those hard hearted officials and this little old defenseless lady--nobody seemed to worry about the babies.

Susan, these are NOT unique stories. I have shared only a very few of the difficult settings where defenseless children find themselves a large percentage of their waking day. These are all Anchorage, not borrowed from another State, and all within the ### last several years--during the time when the community was well aware of the existence of health codes both State and local. In fact, family B, number 2, was one with whom I had discussed licensing two years before they were reported. And they had informed us they decided not to go into child care! We get a really bad one about every three months. Marginal settings monthly.

My whole point is the question: If the State does not have licensing responsibility, who is going to protect children in these kinds of settings outside the Anchorage area? And the Anchorage code does not apply when fewer than six children are in care...so who would look out for the kind of family in number 1?

Licensing is a child protection function, and should be vested in the same agency which has the overall responsibility for other child protection services, IE; Division of Social Services. Only if other municipal or private agencies have demonstrated willingness and ability to manage should they be considered for contract for this service. It is important to know for instance when licensing a family, have they ever been involved in documented child abuse and/or neglect? Are they emotionally stable? Do they like and will they meet their responsibilities for child care? Many people are presently caring for children who should not be...but because of a lack of staff the DSS people have not gotten to them. It is only since October 1975 that there has been minimally adequate staff in Anchorage. To lose them now would be tragic.

I would give a great deal to be able to discuss this with you. But the rapidity with which this bill has progressed and other time commitments make that unrealistic immediately. If you take this major action, children will be vulnerable all over the State.

I recognize that licensing ### is a difficult job. And just as in any other job, occasionally there will be individuals placed with that responsibility who should be transferred. But deal with THAT issue, don't remove protection from children.

You see I am trying to address all of the rumored reasons I have heard for this bill and the 19 to 1 support for passage in the S#### Senate. Which rumors include bad licenesors, poor standards, angry with DSS so move it CRA etc. I can't understand the push despite all of the rumors I've heard. And cannot support DSS removal from this responsibility.

Thank you for anything you can do. Call me at home (272-7698) or office (276-6751) if I can answer any questions or be of assistance.

Regards,

Margaret

Sara:

Re: SB652 Relating to Licensing of care providers for children and adults

I talked to Marsha Hubbard and it looks as though SB652 is going to stay in HESS & a new bill will be introduced providing for the following:

- ① all authority for day care licensing is removed from the Dept of HESS; in fact, all requirements for day care licensing at the State level are removed
- ② authority for contracting for day care services, other than for protective purposes, is removed from the Dept HESS
- ③ within the organized boroughs, cities or the borough are given the authority to license day care facilities within their jurisdictions
- ④ within the unorganized borough centers must meet program standards set by the Dept. of C&RA - this is not licensing
- ⑤ All centers must meet the building and fire codes of the local jurisdiction or the State
- ⑥ Dept C&RA will provide day care assistance to those children currently covered by Dept HESS (the children of workers AFDC clients)

The bill will be introduced tomorrow most likely - I could hold this for you until the letter to include a copy of the new bill or anything else you wish

REPORTS OF STANDING COMMITTEES

The Resources Committee has had COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 174 (relating to the taking of oil and gas royalty-in-kind; effective date) under consideration and a majority of the members of the Committee recommends it do pass. The report was signed by Mr. Anderson, Chairman, and concurred in by Anderson, Swanson, Huntington, Osterback and Brown. Not concurring were Eliason and Rhode who have no recommendation. CSSB
174

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 174 was referred to the Finance Committee.

The Commerce Committee has had HOUSE CONCURRENT RESOLUTION NO. 117 (requesting a study of waterborne commerce and the regulation of maritime traffic in Alaska) under consideration and four of the members of the Committee report it back without recommendation. The report was signed by Mr. Bradley, Chairman. Kelley, Fischer, Freeman and Urion have no recommendation; Bradley recommends do pass. HCR
117

HOUSE CONCURRENT RESOLUTION NO. 117 was referred to the Rules Committee for placement on the calendar.

The Resources Committee has had HOUSE CONCURRENT RESOLUTION NO. 123 (coastal zone management) under consideration and a majority of the members of the Committee recommends it be replaced with COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 123: HCR
123

Relating to a coastal zone management and policy and guideline study.

and that it do pass. The report was signed by Mr. Anderson, Chairman, and concurred in by Anderson, Swanson, Huntington, Osterback and Brown. Not concurring was Hershberger who has no recommendation.

HOUSE CONCURRENT RESOLUTION NO. 123 was referred to the Rules Committee for placement on the calendar.

The Commerce Committee has had HOUSE BILL NO. 792 (required benefits in individual, group, and blanket disability insurance policies) under consideration and a majority of the members of the Committee recommends it be replaced with COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 792: HB
792

"An Act relating to required benefits in group, blanket disability, and hospital and medical service corporation insurance policies; and providing for an effective date."

and four of the members of the Committee recommend it do pass. The report was signed by Mr. Bradley, Chairman. Bradley, Ruid, Kelley and McKinnon recommend do pass; Freeman and Fischer have no recommendation.

J. M. Hubbert

4/26/70: S. VESS

TELEGRAM

ALASKA COMMUNICATIONS, INC.

1875 APR 22 AM 3 50

PHONE: 586-6440

JUNEAU, ALASKA 99801

02003 NL ANCHORAGE AK 5P 04-21 113#P AST

PMS REP SAM COTTON

3251

JUN

AS OWNERS AND DIRECTORS OF A LARGE DAY CARE CENTRE
WE URGE YOUR SUPPORT FOR THE ADOPTION OF SENATE BILL 652

SECTION 4735022 AS WRITTEN

ELMER AND PAULINE KEE

392P PETERKIN

ANCHORAGE AK 99504

TELEGRAM

Keith Weikel
Acting Administrator
Social and Rehabilitative Service
330 C Street, S.W.
Washington, D.C. 20201

Honorable Ted Stevens
U.S. Senate
Washington D.C. 20515

Honorable F. David Mathews
Secretary
Department of Health, Education and Welfare
330 Independence Avenue, S.W.
Washington, D.C. 20515

Honorable Don Young
U.S. House of Representatives
Washington, D.C. 20515

Honorable Mike Gravel
U.S. Senate
Washington, D.C. 20515

SUBJECT: Response - 45 CFR Part 250
Medical Assistance Program

WE ARE OPPOSED TO THE ADOPTION OF THE PROPOSED REGULATIONS (45 CFR Part 250) AFFECTING REIMBURSEMENT ON A REASONABLE COST-RELATED BASIS FOR SKILLED NURSING AND INTERMEDIATE CARE FACILITY SERVICES. THE STATE OF ALASKA IS FACING A SERIOUS CRISIS IN OUR NURSING HOME INDUSTRY. THE APPLICATION OF ANY FURTHER RESTRICTIONS WHICH ARE NOT RESPONSIVE TO THE NEEDS OF ALASKANS NOR TAKE INTO ACCOUNT THE SEVERE EFFECTS OF INFLATION; HIGH COSTS OF CONSTRUCTION, LABOR, AND MAINTENANCE; AND THE STAGE OF LONG TERM CARE FACILITY DEVELOPMENT PECULIAR TO ALASKA JEOPARDIZE THE ABILITY OF THE STATE TO PROVIDE ADEQUATE MEDICAL AND LONG TERM CARE TO OUR ELDERLY AND NEEDY.

WE URGENTLY REQUEST THAT THE REGULATIONS BE REDRAFTED TO PROVIDE RELIEF TO THE STATE OF ALASKA AND OTHER UNDERDEVELOPED AREAS OUTSIDE THE CONTINENTAL UNITED STATES SO THAT WE MAY CONTINUE TO PROVIDE QUALITY CARE TO OUR CITIZENS WITHIN THE CONFINES OF OUR OWN STATE.

SIGNED:

(over)

TELEGRAM

Keith Weikel
Acting Administrator
Social and Rehabilitative Service
330 C Street, S.W.
Washington, D.C. 20201

Honorable Ted Stevens
U.S. Senate
Washington D.C. 20515

Honorable F. David Mathews
Secretary
Department of Health, Education and Welfare
330 Independence Avenue, S.W.
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U.S. House of Representatives
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SIGNED:

(over)

SENATOR CHANCY CROFT, PRESIDENT OF THE SENATE

REPRESENTATIVE MIKE BRADNER, SPEAKER OF THE HOUSE

SENATOR JALMAR KERTTULA, SENATE MAJORITY LEADER

REPRESENTATIVE MIKE MILLER, HOUSE MAJORITY LEADER

SEN. GENIE CHANCE

SEN. FRANK FERGUSON

SEN. MIKE COLLETTA

SEN. JOHN HUBER

SEN. PETE MELAND

SEN. JOHN RADER

SEN. PAT RODEY

SEN. JOHN SACKETT

SEN. ED WILLIS

REP. BOB BRADLEY

REP. HELEN BEIRNE

REP. THELMA BUCHHOLDT

REP. SAM COTTEN ✓

REP. JIM DUNCAN

REP. ORAL FREEMAN

REP. CLARK GRUENING

REP. RAMONA KELLEY

REP. ED NAUGHTON

REP. KATHRYN OSTROSKY

REP. BILL PARKER

REP. CHARLIE PARR

REP. SUSAN SULLIVAN

RESPONSES TO STAFF-CHILD RATIOS
FOR CHILDREN CARED FOR BY
THE TYPICAL WORKER
(PERCENT)

Child Staff Ratios	0-6 mos.	6-24 mos.	2 yr. olds	3 yr. olds	4 yr. olds	5 yr. olds
1:0	12.4	11.2	5.0	0.4		0.4
1:1	15.3	2.1	0.4			
1:2	37.2	24.1	3.7	0.8	0.8	0.4
1:3	18.2	24.5	17.8	5.3		0.4
1:4	11.6	21.2	29.3	10.8	5.8	2.9
1:5	2.5	10.4	14.9	27.4	14.9	7.9
1:6	2.5	4.1	12.0	17.0	11.2	10.8
1:7			4.1	5.4	16.2	11.2
1:8	0.4	1.7	8.3	14.9	14.5	12.9
1:9				1.7	2.1	0.8
1:10 <i>Alaska</i>		0.4	2.9	10.0	16.6	20.3
1:11			0.4			
1:12		0.4	0.8	5.0	7.1	11.2
1:13					0.4	0.4
1:14			0.4	0.4	1.7	0.8
1:15				2.5	5.8	9.1
1:16				0.4	0.8	2.1
1:17						
1:18					0.4	0.4
1:19						
1:20 & over					1.7	7.9
Total	100.0	100.0	100.0	100.0	100.0	100.0
Mean	2.211	3.075	4.690	6.751	8.353	10.008
Median	2.100	3.017	4.289	5.927	7.571	9.668

RESPONSES TO STAFF-CHILD RATIOS
FOR CHILDREN CARED FOR BY
THE SUPERIOR WORKER
(PERCENT)

0-6 mos.	6-24 mos.	2 yr. olds	3 yr. olds	4 yr. olds	5 yr. olds
12.0	10.8	4.6	0.8	0.4	0.4
9.5	0.8	0.4			
36.1	21.6	2.9	0.8	0.8	0.4
18.3	20.7	10.0	1.7		0.4
15.8	25.7	27.8	6.3	2.1	0.8
3.7	10.0	15.8	23.0	11.7	6.3
2.9	5.0	16.2	16.7	12.1	6.3
0.8	0.4	5.0	6.7	13.0	10.5
0.4	2.9	8.3	15.9	10.9	10.0
	0.4		0.8	2.1	0.8
0.4	0.8	6.2	14.2	23.0	25.5
					0.4
	0.8	2.1	5.4	7.1	10.9
			0.8	0.4	
		0.4	0.4	1.7	1.7
		0.4	5.0	7.5	12.1
			0.8	0.8	0.4
			0.4	0.4	
				0.8	1.3
				5.0	11.6
100.0	100.0	100.0	100.0	100.0	100.0
2.490	3.369	5.237	7.502	9.335	11.151
2.287	3.310	4.776	6.594	8.404	10.049

 Denotes FIDCR Requirement

ANALYSIS OF STAFF-CHILD RATIO QUESTIONNAIRE

by Gloria Kilgore

The November, 1975 issue of VOICE included an article entitled "Staff-Child Ratios: An Opportunity to Re-examine." The article was about the controversy over the staff-child ratios mandated by the Federal Interagency Day Care Requirements (FIDCR).

An Appropriateness Study designed to look at some of the problems of the FIDCR has been mandated by Congress. The issue of appropriate staff-child ratios is a major area of investigation. The current FIDCR staff-child ratios which apply to family homes and day care centers funded by federal dollars are: 0-6 weeks — 1:1; 6-36 months — 1:4; 3 years — 1:5; 4-5 years — 1:7; 6-9 years — 1:15; 10-14 years — 1:20.

The questionnaire, which was printed in the November issue of VOICE and was distributed at the Annual Meeting, was developed as a mutual effort by HEW and DCCDCA staff to get an idea of how our readership feels about FIDCR staff-child ratios. To date, 296 responses have been received. We hope to receive more and solicit your response.

The following is a brief summary of the results of the questionnaire. In order to simplify matters, in most cases only the highest percentages in each category of responses to the questions are reported.

Individuals from 30 different states responded; the greatest number was received from North Carolina (16.8%), followed closely by Wisconsin (15.8%). Of the 296 responses to the questionnaire, 39.5% came from center administrators, 14.3% came from family day care operators, and 8.4% from day care parents.

Family Day Care Homes: Approximately 81% of the respondents indicated that the maximum number of children in a home should be between 4 and 6. Thirty-six percent of the respondents think that the staff-child ratio should be 1:5; 21.8% think it should be 1:4 and 22.6% thought it should be 1:6. The range of the responses includes ratios of 1:2 to 1:10, with 1.7% suggesting a ratio of 1:2 and 4.3% suggesting a ratio of 1:10.

Sixty-seven percent agreed with FIDCR in that in a group of children cared for in a family day care home, only two children may be under the age of two years, while 32.7% disagreed. Of those who disagreed with the present FIDCR requirements, the majority, 62.7%, recommended that the FIDCR allow day care operators to care for three children under the age of two years.

Sixty-five percent of the respondents think only the operator's preschool-age children should be included when calculating group size. Fourteen percent think that all the caregivers' children under age 14 should be counted in the calculation.

Day Care Centers: A majority, or 27.5%, of the respondents believe volunteers and paid staff who work directly with children should be counted when calculating the child-staff ratio for a day care center. Twenty-seven percent believe only the paid staff should be counted.



The accompanying tables reflect the percentages of responses to the questions of staff-child ratio for typical and superior child care workers in day care centers.

Generally, 75% of the respondents voted for a staff-child ratio in a range where the high is approximately twice the low. However, this range is typically 3 to 4 children per staff and generally more restrictive than one might expect from hearing the heated public debate on the subject.

It is also interesting that a majority of respondents voted for a lower ratio than FIDCR for children under 3 years, and higher than FIDCR for children 3 to 5 years of age.

It should also be noted that there is very little difference in the means for a typical and superior worker at the younger ages. The difference is about one child on the average for older preschool children.

ALASKA STATE NUTRITION COMMITTEE

MEMBERS WHO CAN PROVIDE FURTHER INFORMATION ON SPECIFIC TOPICS

<u>SUBJECT</u>	<u>CONTACT</u>
<u>FOOD RESOURCES</u>	
<ul style="list-style-type: none">- High freight rates- Shipping that competes with food for priority- CAB regulations limiting transportation of potentially hazardous products- Limited Support for Alaskan Agriculture- Food handling practices in home processing of local foods- Rural electrification	Edward D. Kern Marketing Specialist State of Alaska Dept. of Natural Resources Division of Agriculture P. O. Box 800 Palmer, Alaska 99645 Phone: 745-3236
<u>EDUCATION</u>	
<ul style="list-style-type: none">- School lunch funding- Nutrition education in vocational education- Nutrition education for all ages	Marguerite Stetson Nutrition Program Coordinator Cooperative Extension Service University of Alaska Box 95151 Fairbanks, Alaska 99701 Phone: 479-7254 or 456-7831 1189 Nenana Street Fairbanks, Alaska 99701
<ul style="list-style-type: none">- Day Care Legislation	Betsy Nobmann 3935 Apollo Drive Anchorage, Alaska 99504 Phone: 333-0262 (evenings & weekends)
<ul style="list-style-type: none">- Nutrition education for all ages	Grace Billings 157 Noell Ave., Apt. 305 Juneau, Alaska 99801 Phone: 586-3692 (after 5:00 p.m.)
<u>HEALTH</u>	
<ul style="list-style-type: none">- Proposed legislation establishing local health districts with delegated health services	Winston Osborn P. O. Box 1128 Juneau, Alaska 99802 Phone: 586-6128 (evenings & weekends)
<ul style="list-style-type: none">- Withdrawal of recent legislative intent to deny eligibility of pregnant women for AFDC aid.	Winston Osborn and Margaret Crawford 808 Dixon Street Juneau, Alaska 99801 Phone: 586-6491 (evenings & weekends)

ALASKA STATE NUTRITION COMMITTEE

- HB 380 (establishment of registrars of vital statistics)

Mrs. Sonja Johanson
Health Information Section
Division of Public Health
Pouch H-06C
Juneau, Alaska 99811
Phone: 465-3110

- Establishment of a consulting dietitian position for the Pioneers' Homes.

Grace Billings

- Establishment of a full-time position for a consulting dietitian with the Section of Health Facilities Licensing and Certification, DHSS.

Mrs. Tor. Niesen
4111 W. 39th Court
Anchorage, Alaska 99502
Phone: 349-2876

and

Winston Osborn

POSITION PAPER: SB 753 PRESENTED BY ROSALEE T. WALKER

Nothing is born without a struggle; and any new idea or concept is always met with fear, delusion, misapprehension and sometimes, hysteria. SB 753 is indeed revolutionary for Alaska and the variety of responses that have been exhibited should certainly be expected. Recently in the field of Early Childhood development, Alaska has been quite innovative. Unfortunately, our innovations get very little state-wide publicity. Yet, as a result of national surveys and reports, other states frequently consult the Department of Education, seeking information regarding our Early Childhood projects - including day care. Nationally, there is great concern as to which agency could best handle the situation of day care licensing, so this problem is not unique to Alaska. The American Federation of Teachers are putting forth a major effort to place day care services in public schools. Several states are experimenting with many variations to use as alternatives to one agency control.

Local participation signifies local responsibility. With regard to the implementation of SB 753, every community, from the smallest to the largest, now have the necessary resources available to them for day care licensing. Believe it or not, the smaller communities are very sophisticated in their child development knowledge, as a result of Head Start Programs, Public Health Nurses and Health Service Aides. I

strongly contend that all communities can produce good regulations, enforce them with facility and perform the necessary activities at minimal costs (example: Anchorage).

There is no guarantee that quality control exists simply because that control is on the state level. If day care licenses are to be effective the regulations must be understandable to any citizen; they must be specific enough that any person knows what is to be done and why it has to be done; regulations must be enforceable, in that they are capable of measurement, and, comprehensive enough to offer the necessary protection. The diverse geographic, social and ethnic characteristics of our state prohibit the placement of this great responsibility on any one state agency. In an effort to serve the entire population of our peculiar state, an administrative agency usually finds itself burdened with reams of complex policies and procedures that result in many hours of ineffective behavior (not to mention the cost factor). Communities are clamoring to participate in any decisions that effect them on a local level (example: a modest proposal).

I tend to agree with Mr. Granato. SB 753 should mandate that the communities establish regulations. It is my firm belief that the communities are ready, willing and able to do the job.

A variety of agencies are currently prepared to offer technical assistance to local communities for the establishment of good regulations. These agencies include, but are not limited to -Department of Public Safety, Department of Education, Department of Health and Social Services, Rural CAP, Community and Regional Affairs and the Office of Child Advocacy. Within these and other agencies throughout the state there exist a pool of highly trained and dedicated people who are capable of providing leadership and expertise necessary to design an effective licensing system. I also believe that the personnel who make up the local governmental units, together with the many non-governmental agencies, organizations, practitioners and concerned citizens are willing and able to provide an effective licensing system. I am convinced that by wise and prudent management and with careful planning communities do have the financial resources to accomplish the licensing task.

No single agency, at national or state level, is capable of meeting the medical, social, educational and development needs of all of Alaska's children and their families. No single state agency has the equipment, facilities or properly trained personnel to provide for the multiple needs of expectant mothers, new-born infants, toddlers, pre-school and school age children.

I would submit to you that we must give close attention to the problem of fragmented services in Alaska. They cannot be brought together into a comprehensive, coordinated whole on the state level. The task is too enormous, the needs are too diverse, and the historical independent nature of Alaskans in determining their own policies and programs are too strong.

I urge you to adopt SB 753 with consideration given to the effective date and mandatory regulations. Even though the concept is new to Alaska, it is not detrimental to our children. Parents are ultimately responsible for their children thus it appears logical that parents should be able to decide what they want for their children on a local basis.

TELEGRAM

ALASKA ALASKA COMMUNICATIONS, INC.

PHONE: 586-6440

JUNEAU, ALASKA 99801

*State of Alaska
June 5
1976*

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PMS DON BERRY EXECUTIVE DIR AML

0707

JUN 586-1325

REFERENCE SB 753 NOT OPPOSED TO DAY CARE SUBSIDY PROGRAM
BUT OPPOSED TO SB 753 ON GROUNDS THAT IT THRUSTS A STATE
FUNCTION ONTO LOCAL GOVERNMENT WITHOUT VOTE OF THE PEOPLE
ADDING SUPERVISION COSTS TO LOCAL GOVERNMENT EXPENSES
THE BILL APPEARS TO BE SOMEWHAT DECEPTIVE IN THAT THE LANGUAGE
INDICATES OPTIONAL EXERCISE WHEN IN FACT COMMUNITY AND REGIONAL
AFFAIRS CANNOT ENTER INTO A
CONTRACT WITH A DAY CARE FACILITY UNLESS A BOROUGH OR
CITY ASSUMES LICENSING RESPONSIBILITIES

JOHN A CARLSON BOROUGH MAYOR

#

KETCHIKAN GATEWAY BOROUGH
344 FRONT STREET • KETCHIKAN, ALASKA 99901

DATE May 7, 1976

TO Don Berry
Executive Director
Alaska Municipal League
204 N. Franklin St.
Juneau, Alaska

RE:

Dear Don:

This is to convey a message from Mayor Fader regarding your telegram of May 6 about our position on SB753 relating to Day Care to which he says, "NO".

Judi Slajer, Clerk

BY

TELEGRAM

ALASKA ALASKA COMMUNICATIONS, INC.

PHONE: 586-6440

JUNEAU, ALASKA 99801

14 003 KODIAK ALASKA 43 05-07 1111A ADT

PMS DON BERRY DIRECTOR ALASKA MUNICIPAL LEAGUE

204 NORTH FRANKLIN

JUN

KODIAK ISLAND BOROUGH STRONGLY OPPOSES SB 753 ON DAY CARE.

PASSAGE OF THIS BILL WOULD PLACE AN ADDED BURDEN ON OUR LOCAL

TAXPAYERS AND SHOULD NOT BE PASSED AS WRITTEN. WE URGE THAT

YOU MAKE EVERY EFFORT TO STOP PASSAGE OF THIS BILL.

ROBERT B CRAIG MAYOR KODIAK ISLAND BOROUGH

1976 MAY 7 PM 1 36

02067 TDA PALMER AK 15 05-07 1005A ADT

PMS DON BERRY EXECUTIVE DIRECTOR ALASKA MUNICIPAL LEAGUE 5861325

204 NORTH FRANKLIN ST 0853

JUNEAU AK 99801

REASON SB753 MSB OPPOSES THE BILL. WE HAVE MANY HIGHER

PRIORITIES FOR LOCAL GOVERNMENT CONCERN

WE ... EY M HOWE BOROUGH MANAGER



THE CITY AND BOROUGH OF JUNEAU

CAPITAL OF ALASKA

155 SOUTH SEWARD ST. JUNEAU, ALASKA 99801

DATE: May 11, 1976

FILE NO.

SUBJECT: Senate Bill 753

Honorable Samuel R. Cotton
Chairman, House Community &
Regional Affairs Committee
State Capitol - Pouch V
Juneau, Alaska 99811

Dear Chairman Cotton:

At its last regular meeting, the Assembly of the City and Borough of Juneau considered the impact of Senate Bill 753 on the municipality and took a position in opposition to those provisions of the Bill which would require that municipalities license day care centers as a condition of the receipt of State day care center grants.

This is clearly the impact of the Bill if one accepts as true the popular conception that Federal day care center standards are unreasonably burdensome. This result occurs because under the Day Care Assistance Act (AS 44.47.250-44.47.310) the Department of Community and Regional Affairs is authorized to provide assistance only to "day care facilities" which are currently defined as a center or home licensed by the Department of Health and Social Services or recognized as such by the Federal government. The Bill proposes to redefine "day care facility" by substituting municipalities for the Department of Health and Social Services. Thus, under this Bill, a day care operation would not qualify for State assistance unless the municipality has licensed the facility. Municipalities will have little choice but to undertake day care licensing. In order to assure maximum State assistance to day care facilities, municipalities will be tempted to establish minimal or no standards for the issuance of licenses. As I read the Bill, a municipality could establish a day care licensing program requiring that every person who cares for the child of another person must obtain a license good for five years and costing \$1.00. Once licensed, the home of such a person would qualify for State assistance.

If, on the other hand, the Legislature intends that certain State established minimum standards be met, then there is little reason to force municipalities to go through the charade of adopting as their own, standards established by the State. Why not leave licensing and

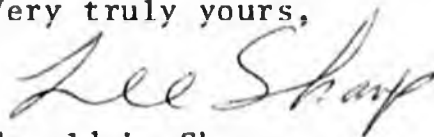
Honorable Samual R. Cotton
May 11, 1976
Page 2

regulation in the hands of those who are responsible for setting the minimum standards with an option for municipalities to set more stringent requirements.

It appears that there is no licensing requirement under the Bill for day care facilities located in the unorganized borough.

If the Legislature does not intend that there be some minimal standards set, then what is the purpose of any licensing requirement at all? Why not just authorize the Department of Community and Regional Affairs to make payments to any facility which it recognizes as a day care facility? A slight compromise of this latter suggestion could be accomplished by adding the phrase "the department" between the words "by" and "the federal government" in line 1 on page 4 of the Bill. Such an amendment would allow the Department of Community and Regional Affairs to establish a definition (and minimum standards if necessary) for "day care facility" for the purpose of assistance. It would also allow a municipality to assume the licensing and regulatory function at its own option and not be forced into it in order to preserve the right of day care centers within its borders to continue to receive State assistance. I would be happy to discuss the Bill with you or the Committee if you believe I could contribute anything more.

Very truly yours,



Gerald L. Sharp
City-Borough Attorney

GLS/kh

cc: Vice Chairman Ostrosky
Members Freeman, Davis,
Hershberger, Hackney, Ose,
Rudd and Kelly
Don Berry, AML