

and first I would like to compliment him on the first page which is a readable form of the bill and I guess his history of child care I don't quite understand or I don't follow from the way that I look at the statutes and read them. He seems to leave the impression that the Legislature never had, point nine that he makes on page 3, that it was not the intent of the Legislature to control all child care operation, but because of overreaching regulatory control of the Welfare Department, things have changed. He seems to make it appear like this is a very current thing with the state. When looking through the statutes that are laid out here and the statutes that he amends, the particular area that he has has not been changed by this Legislature since 1961 and the statutes were adopted in 1943. This grew out of World War II when there was a need to try to provide baby-sitting services for women that were in the work force. This is not a recent thing. It is not a recent declaration of the Legislature that somehow has been subverted. We have gone on record for a long time. It was a Legislature far before any of us was in here that established that day care should be regulated and I think Senator Kelly is abandoning a long-standing policy rather than just trying to stop the overreaching of a bureaucracy. Senator Marsh has pointed out that this would mean that there would be day care services without health inspections, without any sanitary inspections, without fire inspections, without even such minimal things as a fire extinguisher. I think Senator Kelly has gone too far. He pleads that the committee, at least, tried to curtail his efforts but still the bill goes far beyond what we need and I think abandons a long-standing tradition and policy of this Legislature that day care except for baby-sitting should be regulated, should be licensed and should be inspected for the basic care, for fire and for health. For this reason, I oppose Senator Kelly's bill and I hope that it will not pass.

PRESIDENT: Senator Newell.

SENATOR NEWELL: Mr. President, I would like to ask Senator Kelly a question or two if I could. Senator Kelly. Senator Kelly, is it under the proposed bill now that you would shift the regulation from the Department of Welfare to the Department of Health? Is that currently what is in the bill or was that just an amendment that you've not offered?

SENATOR KELLY: That was the amendment that I withdrew which would take it from Welfare to Health and that is not being proposed.

SENATOR NEWELL: That is not being proposed now. Right now, as I understand it, you are just sort of deregulate... You are not going to regulate any of these other than for ADC recipients, you are not going to regulate health care centers, right, or child care situations, is that correct?

SENATOR KELLY: Absolutely not. The only thing that this would allow would be a choice by a neighborhood baby-sitter to be unlicensed if that would be the choice of the parents that were using those services.

SENATOR NEWELL: Okay, as I understand it, Senator Kelly, it is up to a certain amount. It is up to nine children, is that correct, that is the committee amendments and that is up from seven, the way it used to be, the old law, is that correct?