

January 27, 1982

LB 270

SENATOR BARRETT: Thank you, Mr. President, and members of the Legislature. I find it personally a bit difficult to place a kill motion on a particular bill and yet I do think that there are times when it is a necessity, and in the case of LB 270, I truly believe that it is necessary, possibly a requirement, at least as far as I am concerned. I have never been a particular promoter or lover because of my background and training of state regulation, state requirement, but in this particular case, I think the state has a legitimate function, a legitimate function to protect the children, particularly the children of this state. Now the purpose of the present law is simply to protect the health and the safety of the children that are involved in day care center programs, and although the law is not perfect perhaps, it does provide a registration system and minimal requirements. It does provide some consumer protection but more importantly protection for the children of this state that are involved in day care. The present law simply suggests that the day care centers must follow safety and health regulations as directed by the Department of Welfare, pure and simple. The present law requires that health checks shall be made, spot checks shall be made of day care center operations. 731 spot checks were made last year in this state alone. The law now requires that fire checks must be made. Any applicant for a day care center license must register with a child abuse registry. They must be checked against this registry. This is a very, very important requirement. The Department of Welfare suggests that the present law is working reasonably well. It is not particularly overburdensome to the Department. LB 270 would increase from two to now with the Newell amendment five the number of children which a day care center can take care of without being registered and I think this is the key, without being registered. Obviously, then LB 270 in its present form would totally deregulate all infant day care centers in the State of Nebraska as well as perhaps some family day care centers. As was suggested yesterday, infant care is becoming a very large business in this state. As Senator Newell suggested, it is a commercial venture in many cases. It is becoming increasingly more important for parents to have places in which to place their children and the health and safety standards of those children should be of paramount concern to the state. This should be a priority concern of the State of Nebraska and yet here we are trying to totally dismantle the existing law which provides minimal standards for day care. Although our current standards may not be optimum, they are minimal standards and they are working. Perhaps we should be trying to strengthen our present law rather than trying