



LAWS OF ALASKA

1981

Source

SCS CSHB 508(R1s)

Chapter No.

112

AN ACT

Relating to child care facilities and child care assistance;
and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 9

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO
THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES
DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL
REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY
LINE OF EACH BILL SECTION.

Approved by the Governor: July 26, 1981
Actual Effective Date: July 27, 1981

AN ACT

Relating to child care facilities and child care assistance; and providing for an effective date.

* Section 1. AS 44.33.245(a)(1) is amended to read:

(1) make loans for the construction, renovation, and equipping of child care facilities, including private nonprofit child care facilities;

* Sec. 2. AS 44.33.255(a) is amended to read:

(a) A loan to a child care facility under AS 44.33.240 - 44.33.275 may not exceed \$50,000 [\$30,000, AND NO MORE THAN ONE LOAN MAY BE MADE TO A SINGLE CHILD CARE FACILITY UNDER AS 44.33.240 - 44.33.275].

* Sec. 3. AS 44.47.250(a)(1) is amended to read:

(1) implement and administer a program to assist in providing day care for the children of low and moderate income [LOW-INCOME] families according to the requirements of AS 44.47.250 - 44.47.310;

* Sec. 4. AS 44.47.250(b)(2) is amended to read:

(2) contract with municipalities, or, if necessary, with day care facilities, to perform [ITS] duties of the department under AS 44.47.250 - 44.47.310 within that municipality; with the approval of the department, the municipality may subcontract with another organization in the community to perform administrative duties, or, if necessary, the department may contract with another organization to perform administrative duties;

* Sec. 5. AS 44.47.260 is repealed and reenacted to read:

1 Sec. 44.47.260. CONTRACT ADMINISTRATION. When a contract is made
2 under AS 44.47.250(b)(2) or (b)(4) between the department and a mun-
3 cipality or an organization, the department shall pay to that municipal-
4 ity or organization the greater of

5 (1) an amount equal to 10 percent of the total annual day
6 care benefits paid to day care facilities in the geographic area admin-
7 istered by that municipality or organization; or

8 (2) \$1,000 per year.

9 * Sec. 6. AS 44.47.270 is amended to read:

10 Sec. 44.47.270. CONDITIONS OF RECEIPT OF BENEFITS. Benefits may
11 be paid for the care of children of a low or moderate income family
12 only if a parent or guardian, because of the day care, is freed to work
13 or to seek work or to attend school. In no event shall benefits be
14 paid for the care of children of a family where one parent or guardian
15 is not working, actively seeking work, or attending school and is
16 physically and mentally capable of caring for the children.

17 * Sec. 7. AS 44.47 is amended by adding a new section to read:

18 Sec. 44.47.301. CHILD CARE GRANT PROGRAM. (a) A child care grant
19 program is established in the department to provide state assistance in
20 the operation of child care facilities. The department shall provide
21 grants for the operation of child care facilities, including private
22 nonprofit child care facilities. Participation in the program is
23 optional.

24 (b) To qualify for a grant under (a) or (d) of this section, the
25 child care facility must

26 (1) be currently licensed under AS 47.35.010 - 47.35.080 and
27 any applicable municipal licensing requirements;

28 (2) participate in the day care assistance program under
29 AS 44.47.250 - 44.47.310;

(3) provide care under a payment system as provided in (g) of this section.

(c) A grant under (a) of this section may not exceed \$50 per month for each child the child care facility cares for, or for each full-time equivalent, as determined by the department. The grant shall be adjusted on a geographic basis by the same percentages as instructional unit allotments are adjusted under AS 14.17.051.

(d) In addition to the grants provided in (a) of this section, the department may, subject to appropriations for that purpose, provide by grant or contract for the education and training of child care employees or administrators. To receive a grant or contract under this subsection or to participate in a training program under this subsection, the child care facility must meet all the requirements of (b) of this section.

(e) An application for a grant under this section shall be made in the form established by the department.

(f) A grant under (a) of this section shall be made monthly and shall be based on the average daily full-time equivalent enrollment in the child care facility during the calendar month preceding the date on which application for a grant is made.

(g) Each child care facility receiving a grant under (a) or (d) of this section shall assure that a specified number of child care positions are available to children eligible for day care assistance under AS 44.47.250 - 44.47.310, whose parents or guardians wish to pay for care based on the number of full-time equivalent days the child attends the facility. All child care positions not made available under a payment schedule based on enrollment shall be made available under a payment schedule based on attendance and at least one full-time equivalent position shall be made available based on attendance rather

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1 than enrollment. The maximum number of child care positions in each
2 facility that may be made available under a payment schedule based on
3 enrollment shall be determined each month under the following formula:

4
$$M = (T+E) - (A+B)$$

5 where

6 M = maximum number of positions available under an enrollment-
7 based fee schedule;

8 T = the total number of full-time equivalent child care positions
9 in the facility;

10 E = number of full-time equivalent positions during the month
11 before computation with an enrollment-based fee schedule;

12 A = average daily full-time equivalent attendance during the
13 month before computation in positions with an enrollment-
14 based fee schedule;

15 B = maximum daily full-time equivalent attendance during the
16 month before computation in positions with an attendance-based
17 fee schedule.

18 (h) The commissioner shall, in consultation with interested child
19 care providers and parents, adopt regulations to carry out the purposes
20 of this section.

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

22 (6) "child care facility" means an establishment licensed
23 under AS 47.35.010 - 47.35.080, including but not limited to day care
24 centers, family day care homes, and schools for preschool age children,
25 which provides care for children not related by blood, marriage, or
26 legal adoption to the owner, operator, or manager of the facility.

27 * Sec. 9. AS 44.33.250 and 44.33.260(2) are repealed.

28 * Sec. 10. This Act takes effect July 1, 1981.