

BY THE HESS COMMITTEE

1 IN THE HOUSE

2

HOUSE BILL NO. 458

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to day care programs and child care  
7 grants."

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

9 \* Section 1. AS 44.47.250(b) is amended to read:

10

(b) The department may

11

(1) adopt regulations necessary for the performance of its  
12 duties under AS 44.47.250 - 44.47.310;

13

(2) contract with other entities [MUNICIPALITIES, OR, IF  
14 NECESSARY, WITH DAY CARE FACILITIES,] to perform duties of the depart-  
15 ment under AS 44.47.250 - 44.47.310 within an area specified by the  
16 department; the department shall give priority in contracting under  
17 this paragraph to municipalities, nonprofit organizations, and for-  
18 profit organizations serving the specified area, in descending order  
19 of priority [THAT MUNICIPALITY; WITH THE APPROVAL OF THE DEPARTMENT,  
20 THE MUNICIPALITY MAY SUBCONTRACT WITH ANOTHER ORGANIZATION IN THE  
21 COMMUNITY TO PERFORM ADMINISTRATIVE DUTIES, OR, IF NECESSARY, THE  
22 DEPARTMENT MAY CONTRACT WITH ANOTHER ORGANIZATION TO PERFORM ADMINIS-  
23 TRATIVE DUTIES;

24

(3) REPEALED;

25

(4) CONTRACT WITH DAY CARE FACILITIES OUTSIDE OF MUNICIPAL-  
26 ITIES; TO PROVIDE MORE EFFECTIVE ADMINISTRATION OF PROGRAMS IN THE  
27 UNORGANIZED BOROUGH, THE DEPARTMENT MAY CONTRACT WITH ANOTHER ORGANI-  
28 ZATION IN THE COMMUNITY OR WITH AN ORGANIZATION SERVING THE REGION IN  
29 WHICH THE COMMUNITY IS LOCATED TO PERFORM ADMINISTRATIVE DUTIES].

1 \* Sec. 2. AS 44.47.260 is amended to read:

2 Sec. 44.47.260. PAYMENTS TO MUNICIPALITY OR ORGANIZATION. When  
3 a contract is made under AS 44.47.250(b)(2) [OR (b)(4)] between the  
4 department and a municipality or an organization, the department shall  
5 pay to that municipality or organization the greater of

6 (1) an amount equal to 10 percent of the total annual day  
7 care benefits paid to day care facilities in the geographic area  
8 administered by that municipality or organization under the contract;  
9 or

10 (2) \$1,000 per year.

11 \* Sec. 3. AS 44.47.300(b) is amended to read:

12 (b) Benefits shall be paid by the department directly to the  
13 municipality or organization contracting with the day care facility  
14 [OR, OUTSIDE OF A MUNICIPALITY, TO THE FACILITY UPON RECEIPT OF A  
15 BILLING FROM A MUNICIPALITY OR FACILITY].

16 \* Sec. 4. AS 44.47.305(f) is amended to read:

17 (f) A grant under (a) of this section shall be made quarterly  
18 [MONTHLY] and shall be based on the average daily full-time equivalent  
19 enrollment in the child care facility [DURING THE CALENDAR MONTH  
20 PRECEDING THE DATE ON WHICH APPLICATION FOR A GRANT IS MADE].

21 \* Sec. 5. AS 44.47.305(g) is amended to read:

22 (g) Each child care facility receiving a grant under (a) or (d)  
23 of this section shall assure that at least 20 percent or one, whichever  
24 is greater, of their child care positions [A SPECIFIED NUMBER OF  
25 CHILD CARE POSITIONS] are available to children eligible for day care  
26 assistance under AS 44.47.250 - 44.47.310, whose parents or guardians  
27 wish to pay for care based on attendance only [THE NUMBER OF FULL-TIME  
28 EQUIVALENT DAYS THE CHILD ATTENDS THE FACILITY. ALL CHILD CARE POSI-  
29 TIONS NOT MADE AVAILABLE UNDER A PAYMENT SCHEDULE BASED ON ENROLLMENT

1 SHALL BE MADE AVAILABLE UNDER A PAYMENT SCHEDULE BASED ON ATTENDANCE  
2 AND AT LEAST ONE FULL-TIME EQUIVALENT POSITION SHALL BE MADE AVAILABLE  
3 BASED ON ATTENDANCE RATHER THAN ENROLLMENT. THE MAXIMUM NUMBER OF  
4 CHILD CARE POSITIONS IN EACH FACILITY THAT MAY BE MADE AVAILABLE UNDER  
5 A PAYMENT SCHEDULE BASED ON ENROLLMENT SHALL BE DETERMINED EACH MONTH  
6 UNDER THE FOLLOWING FORMULA:

7  $M = (T+E) - (A+B)$  WHERE

8 M = MAXIMUM NUMBER OF POSITIONS AVAILABLE UNDER AN ENROLL-  
9 MENT-BASED FEE SCHEDULE;

10 T = THE TOTAL NUMBER OF FULL-TIME EQUIVALENT CHILD CARE  
11 POSITIONS IN THE FACILITY;

12 E = NUMBER OF FULL-TIME EQUIVALENT POSITIONS DURING THE  
13 MONTH BEFORE COMPUTATION WITH AN ENROLLMENT-BASED FEE SCHEDULE;

14 A = AVERAGE DAILY FULL-TIME EQUIVALENT ATTENDANCE DURING THE  
15 MONTH BEFORE COMPUTATION IN POSITIONS WITH AN ENROLLMENT-BASED  
16 FEE SCHEDULE;

17 B = MAXIMUM DAILY FULL-TIME EQUIVALENT ATTENDANCE DURING THE  
18 MONTH BEFORE COMPUTATION IN POSITIONS WITH AN ATTENDANCE-BASED  
19 FEE SCHEDULE].

20 \* Sec. 6. AS 44.47.310(1) is amended to read:

21 (1) "child" means a person below 13 [11] years of age, or a  
22 minor who has a developmental disability;

23 \* Sec. 7. AS 44.47.310(6) is repealed and reenacted to read:

24 (6) "developmental disability" means a disability under  
25 which a person is incapable of self-care, as verified by a physician  
26 or licensed or certified psychologist who has examined the person;