

Offered: 4/25/90  
Referred: Rules

6-1953J

Original sponsor(s): SEN. PEARCE, Duncan, Kelly, Sturgulewski, Zharoff,  
Jones

1 IN THE SENATE BY THE HESS COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 398 (HESS)

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; and providing for an effective date."

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; within an area, the department shall give higher priority  
17 to contracting with municipalities than with other organizations [THAT  
18 MUNICIPALITY; WITH THE APPROVAL OF THE DEPARTMENT, THE MUNICIPALITY  
19 MAY SUBCONTRACT WITH ANOTHER ORGANIZATION IN THE COMMUNITY TO PERFORM  
20 ADMINISTRATIVE DUTIES, OR, IF NECESSARY, THE DEPARTMENT MAY CONTRACT  
21 WITH ANOTHER ORGANIZATION TO PERFORM ADMINISTRATIVE DUTIES;

22 (3) REPEALED;

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

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

29 Sec. 44.47.260. PAYMENTS TO MUNICIPALITY OR ORGANIZATION. When

1 a contract is made under AS 44.47.250(b)(2) [OR (b)(4)] between the  
2 department and a municipality or an organization, the department shall  
3 pay to that municipality or organization the greater of

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

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

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

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

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

15 (f) A grant under (a) of this section shall be made monthly or  
16 quarterly and shall be based on the monthly average daily full-time  
17 equivalent enrollment in the child care facility. If the method of  
18 payment for the grant is other than monthly, it shall be at the re-  
19 quest of the child care facility with the approval of the department.  
20 Based on criteria established by the department, the department may  
21 make quarterly advance payments [DURING THE CALENDAR MONTH PRECEDING  
22 THE DATE ON WHICH APPLICATION FOR A GRANT IS MADE].

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

24 (g) Each child care facility receiving a grant under (a) or (d)  
25 of this section shall assure that at least 15 percent or one of its  
26 child care spaces receiving subsidy under this section, whichever is  
27 greater, will be made [A SPECIFIED NUMBER OF CHILD CARE POSITIONS ARE]  
28 available, if requested, to children eligible for day care assistance  
29 under AS 44.47.250 - 44.47.310, whose parents or guardians wish to pay

1 for care based on attendance only [THE NUMBER OF FULL-TIME EQUIVALENT  
2 DAYS THE CHILD ATTENDS THE FACILITY. ALL CHILD CARE POSITIONS NOT  
3 MADE AVAILABLE UNDER A PAYMENT SCHEDULE BASED ON ENROLLMENT SHALL BE  
4 MADE AVAILABLE UNDER A PAYMENT SCHEDULE BASED ON ATTENDANCE AND AT  
5 LEAST ONE FULL-TIME EQUIVALENT POSITION SHALL BE MADE AVAILABLE BASED  
6 ON ATTENDANCE RATHER THAN ENROLLMENT. THE MAXIMUM NUMBER OF CHILD  
7 CARE POSITIONS IN EACH FACILITY THAT MAY BE MADE AVAILABLE UNDER A  
8 PAYMENT SCHEDULE BASED ON ENROLLMENT SHALL BE DETERMINED EACH MONTH  
9 UNDER THE FOLLOWING FORMULA:

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

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

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

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

17 A = AVERAGE DAILY FULL-TIME EQUIVALENT ATTENDANCE DURING THE  
18 MONTH BEFORE COMPUTATION IN POSITIONS WITH AN ENROLLMENT-BASED  
19 FEE SCHEDULE;

20 B = MAXIMUM DAILY FULL-TIME EQUIVALENT ATTENDANCE DURING THE  
21 MONTH BEFORE COMPUTATION IN POSITIONS WITH AN ATTENDANCE-BASED  
22 FEE SCHEDULE].

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

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

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

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

1 \* Sec. 8. This Act takes effect July 1, 1990.