



LAWS OF ALASKA

1990

Source

HCS CSSB 398(HESS)

Chapter No.

111

AN ACT

Relating to day care programs and child care grants; 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TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.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: June 14, 1990
Actual Effective Date: July 1, 1990

AN ACT

Relating to day care programs and child care grants;
and providing for an effective date.

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

(b) The department may

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

(2) contract with other entities [MUNICIPALITIES, OR, IF NECESSARY, WITH DAY CARE FACILITIES,] to perform duties of the department under AS 44.47.250 - 44.47.310 within an area specified by the department; within an area, the department shall give higher priority to contracting with municipalities than with other organizations [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;

(3) REPEALED;

(4) CONTRACT WITH DAY CARE FACILITIES OUTSIDE OF MUNICIPALITIES; TO PROVIDE MORE EFFECTIVE ADMINISTRATION OF PROGRAMS IN THE UNORGANIZED BOROUGH, THE DEPARTMENT MAY CONTRACT WITH ANOTHER ORGANIZATION IN THE COMMUNITY OR WITH AN ORGANIZATION SERVING THE REGION IN WHICH THE COMMUNITY IS LOCATED TO PERFORM ADMINISTRATIVE DUTIES].

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

Sec. 44.47.260. PAYMENTS TO MUNICIPALITY OR ORGANIZATION. When

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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

for care based on attendance only [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 THAN ENROLLMENT. THE MAXIMUM NUMBER OF CHILD CARE POSITIONS IN EACH FACILITY THAT MAY BE MADE AVAILABLE UNDER A PAYMENT SCHEDULE BASED ON ENROLLMENT SHALL BE DETERMINED EACH MONTH UNDER THE FOLLOWING FORMULA:

$$M = (T+E) - (A+B) \text{ WHERE}$$

M = MAXIMUM NUMBER OF POSITIONS AVAILABLE UNDER AN ENROLLMENT-BASED FEE SCHEDULE;

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

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

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

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

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

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

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

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

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

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