

HOUSE BILL NO. HB0257

Wyoming first children's finance program.

Sponsored by: Representative(s) Wallis, Hammons and
Harvey and Senator(s) Massie and Von Flatern

A BILL

for

1 AN ACT relating to the administration of government;
2 establishing a program to promote child care and early
3 childhood education; providing for business and financial
4 services to child care and early childhood education
5 providers; providing for administration of the program;
6 providing for an advisory council; providing for fellowship
7 positions; providing rulemaking authority; requiring
8 reports; providing appropriations; and providing for an
9 effective date.

10

11 *Be It Enacted by the Legislature of the State of Wyoming:*

12

13 **Section 1.** W.S. 9-2-2608 and 9-2-2609 are created to
14 read:

15

1 **9-2-2608. Wyoming first children's finance program;**
2 **purpose; definitions.**

3

4 (a) The legislature finds and declares that:

5

6 (i) There is in this state, a critical need for
7 quality and affordable child care and early childhood
8 education;

9

10 (ii) It is in the public interest of the
11 citizens of this state to enhance and expand child care and
12 early childhood education in order to promote quality and
13 affordable child care and early childhood development of
14 the children of Wyoming;

15

16 (iii) It is the purpose of this article to
17 enhance and expand child care and early childhood
18 education, to encourage private investment in child care
19 and early childhood education, to promote availability of
20 quality, affordable child care and early childhood
21 education throughout Wyoming and to provide for cooperation
22 between private nonprofit child care organizations, family
23 child care and early childhood education providers and the
24 department to create, enhance and expand the quality and

1 affordability of child care and early childhood education
2 opportunities in Wyoming;

3

4 (iv) This article constitutes a valid public
5 purpose, of primary benefit to all citizens of the state of
6 Wyoming.

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8 (b) As used in this article:

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10 (i) "Contractor" means the nonprofit
11 organization contracting with the department to provide
12 assistance with childcare and early childhood education
13 development;

14

15 (ii) "Department" means the department of
16 workforce services;

17

18 (iii) "Director" means the director of the
19 department of workforce services;

20

21 (iv) "Growth fund advisory council" means the
22 first children's finance program growth fund advisory
23 council;

24

1 (v) "Program" means the Wyoming first children's
2 finance program;

3

4 (vi) "Provider" means the location of a child
5 care or early childhood education business;

6

7 (vii) "State advisory council" means the first
8 children's finance program state advisory council.

9

10 **9-2-2609. Wyoming first children's finance program;**
11 **creation; growth fund; fellowship; advisory councils;**
12 **rulemaking.**

13

14 (a) The department shall establish and administer a
15 Wyoming first children's finance program as provided by
16 this section and W.S. 9-2-2608. The department may
17 promulgate rules and regulations necessary for the
18 implementation of this program.

19

20 (b) The purpose of this program is to:

21

22 (i) Provide business planning assistance to
23 child care and early childhood education providers;

24

1 (ii) Provide assistance and support to enhance
2 and expand child care and early childhood education
3 providers.

4
5 (c) The department shall contract with any contractor
6 in accordance with the purposes of this section. The
7 contractor shall have demonstrated the ability to analyze
8 financing projects, have knowledge of other sources of
9 public and private financing for child care and early
10 childhood education providers, have a relationship with
11 regional resource and referral programs and have knowledge
12 about child care and early childhood education,
13 development, improvement and financing. The contractor
14 shall provide nonstate funds to be used as a revolving loan
15 fund accessible to Wyoming providers of not less than five
16 hundred thousand dollars (\$500,000.00).

17

18 (d) The department may enter into cooperative
19 agreements with the Eastern Shoshone Tribe and the Northern
20 Arapaho Tribe in order to promote the purposes of this
21 section.

22

23 (e) The program shall include a growth fund program
24 to provide for a three (3) year investment for business

1 planning assistance to early care and education providers
2 that are in a growth mode and committed to quality
3 improvements. The criteria for the growth fund assistance
4 shall be established by the department in rules based upon
5 recommendations from the growth fund advisory council.

6

7 (f) There is created a first children's finance
8 program state advisory council. The state advisory council
9 shall consist of not more than twelve (12) persons who are
10 child care or early childhood providers, parents and
11 business leaders and appointed by the director in
12 consultation with the Wyoming early childhood partnership
13 and the contractor. The state advisory council members
14 shall select one (1) member as chairman. The state
15 advisory council shall meet at least twice per year or upon
16 the call of the chairman. The state advisory council shall
17 provide advice and make recommendations to the contractor
18 to help connect the contractor and providers with available
19 resources and to ensure the alignment and integration of
20 child care and early childhood education programs with
21 other related services in Wyoming.

22

23 (g) There is created a first children's finance
24 program growth fund advisory council. The growth fund

1 advisory council shall consist of not more than eight (8)
2 persons, with no more than four (4) members who are also
3 members of the state advisory council, appointed by the
4 chairman of the state advisory council. The other council
5 members shall be appointed by the director upon
6 consultation with the Wyoming early childhood partnership
7 and the contractor. The growth fund advisory council shall
8 advise the growth fund program with review and approval by
9 the department. The growth fund council shall select a
10 minimum of five (5) provider programs per year to receive
11 grants, loans or a combination of grants and loans, based
12 upon an availability from nonstate funds. The growth fund
13 council shall consider business planning, business
14 equipment and administrative expenses in the management of
15 the provider program in determining eligible programs and
16 eligible costs.

17

18 (h) Members of the state advisory council and the
19 growth fund advisory council that are government employees
20 or public officials shall not receive a salary but shall be
21 considered on official business of their agency when
22 performing duties as members of their advisory council and
23 shall receive reimbursement for necessary travel and per
24 diem expenses in the manner and amount provided by their

1 agency. Other state advisory council and growth fund
2 advisory council members shall receive per diem and travel
3 expenses in the amount provided in W.S. 28-5-101 when
4 traveling to and from advisory council meetings and shall
5 only receive salary in the same amount as legislators for
6 actual advisory council meeting days.

7

8 (j) There is created a fellowship program through the
9 University of Wyoming to promote child care and early
10 childhood educational business leadership. Two (2)
11 graduate student fellows may be recruited and mentored in
12 financing, business management, technology and
13 communications.

14

15 (k) The department shall submit an annual report to
16 the joint labor, health and social services interim
17 committee and the joint appropriations interim committee,
18 on or before October 1, beginning in 2010. The report
19 shall include:

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21 (i) A statement of all rules and regulations
22 adopted to further the purposes of this section;

23

1 (ii) An evaluation of the following based on
2 performance measures established by the department:

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4 (A) Any critical child care and early
5 childhood educational information collected by the
6 department;

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8 (B) Any fiscal and performance information
9 on the contractor;

10

11 (C) Any performance information on the
12 providers;

13

14 (D) Any needs of the community to be
15 served.

16

17 (iii) A comprehensive review of the results of
18 the contractor in meeting the goals of the contractor as
19 defined in this section;

20

21 (iv) An analysis of the progress from each
22 provider in the growth fund program;

23

1 (v) Any recommendations for changes in the
2 program;

3

4 (vi) Any recommendations for statutory changes;

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6 (vii) Any additional information required by the
7 department to ensure compliance with loan requirements or
8 compliance with this article.

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10 **Section 2.** W.S. 9-2-2601(g)(v), (vi) and by creating
11 a new paragraph (vii) is amended to read:

12

13 **9-2-2601. Department of workforce services; duties**
14 **and responsibilities; agreements with other agencies**
15 **authorized; definition.**

16

17 (g) The department shall take appropriate steps to:

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19 (v) Conduct and publish results of
20 investigations and research studies; ~~and~~

21

22 (vi) Assist the Wyoming workforce development
23 council and the state youth council in pursuing their
24 missions and goals; ~~and~~ and

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(vii) Assist the state advisory council and the growth fund council in pursuing their missions and goals.

4

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Section 3.

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(i) One hundred forty-four thousand dollars (\$144,000.00) for salary and benefits for an additional full-time position for a state director and an additional full-time position for an administrative assistant;

1 (ii) One hundred thousand dollars (\$100,000.00)
2 for program related contract services with a nonprofit
3 organization;

4
5 (iii) Seventy-one thousand dollars (\$71,000.00)
6 for office administrative expenses;

7
8 (iv) Sixty thousand dollars (\$60,000.00) for
9 graduate student fellowships to assist with the program;

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11 (v) Fifty thousand dollars (\$50,000.00) for
12 consultant services to assist five (5) providers;

13
14 (vi) Fifty thousand dollars (\$50,000.00) for
15 administration assistance from the contract nonprofit
16 provider;

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18 (vii) Fifteen thousand dollars (\$15,000.00) for
19 support of the first children's finance state advisory
20 council and growth fund advisory council;

21
22 (viii) Ten thousand dollars (\$10,000.00) for
23 contingency funding;

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1 (ix) Twenty-two thousand dollars (\$22,000.00)
2 for one (1) time office set-up expenses.

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4 (b) The Wyoming department of workforce services
5 shall include a request in its 2011-2012 budget for one
6 million four hundred forty-six thousand dollars
7 (\$1,446,000.00) from the general fund for the purpose of
8 enhancing and expanding child care and early childhood
9 education as follows:

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11 (i) Two hundred eighty-eight thousand dollars
12 (\$288,000.00) for salary and benefits for the state
13 director and the administrative assistant;

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15 (ii) Two hundred fifty-eight thousand dollars
16 (\$258,000.00) for two (2) additional full-time positions
17 for a program manager and a communications manager;

18

19 (iii) Two hundred thousand dollars (\$200,000.00)
20 for program related contract services with the nonprofit
21 organization;

22

23 (iv) One hundred eighty thousand dollars
24 (\$180,000.00) for office administrative expenses;

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2 (v) One hundred twenty thousand dollars
3 (\$120,000.00) for graduate student fellowships to assist
4 with the program;

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6 (vi) One hundred thousand dollars (\$100,000.00)
7 for consultant services to assist ten (10) providers for
8 fiscal year 2011;

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10 (vii) One hundred fifty thousand dollars
11 (\$150,000.00) for consultant services to assist fifteen
12 (15) providers for fiscal year 2012;

13

14 (viii) One hundred thousand dollars
15 (\$100,000.00) for administration assistance from the
16 contract nonprofit organization;

17

18 (ix) Thirty thousand dollars (\$30,000.00) for
19 support of the first children's finance state advisory
20 council and the growth fund advisory council;

21

22 (x) Twenty thousand dollars (\$20,000.00) for
23 contingency funding.

24

1 **Section 4.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

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6

(END)