

HOUSE BILL NO. 57

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES KERTTULA, Muñoz

Introduced: 1/20/09

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the approval and administration of child care services by the**
2 **Department of Administration primarily for the benefit of state officers and employees;**
3 **and providing for an effective date."**

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

5 * **Section 1.** AS 39.90 is amended by adding new sections to read:

6 **Article 3. Child Care Services.**

7 **Sec. 39.90.200. Duties of department.** (a) Under AS 39.90.200 - 39.90.290,
8 the Department of Administration shall approve, administer, and coordinate child care
9 services for state officers' and employees' children and dependents and for other
10 children as provided in AS 39.90.210. The department shall

11 (1) review and approve requests from state agencies for child care
12 services;

13 (2) provide technical assistance on child care program startup and
14 operation under AS 39.90.200 - 39.90.290; and

1 (3) assist other agencies in conducting needs assessments for child care
2 services, designing child care centers, and selecting child care service providers.

3 (b) Before approving the establishment of a program that provides child care
4 services under AS 39.90.200 - 39.90.290, the department shall review the availability
5 of state-licensed child care services in the municipality in which the program would be
6 located to determine if there is a lack of availability sufficient to justify the approval.

7 **Sec. 39.90.210. Children served.** The department shall give primary emphasis
8 to providing child care services to state officers' and employees' children and
9 dependents who are not subject to compulsory school attendance, and, to the extent
10 possible, emphasis shall be placed on child care for children under the age of four. The
11 department may allow other parents to use the child care services, but shall give
12 priority to the children and dependents of state officers and employees.

13 **Sec. 39.90.220. Location of programs; operating costs.** (a) Child care
14 programs under AS 39.90.200 - 39.90.290 may be located in state-owned office
15 buildings, educational facilities and institutions, custodial facilities and institutions,
16 and, with the consent of the president of the senate and the speaker of the house of
17 representatives, in buildings or spaces used for legislative activities. In addition,
18 centers may be located in privately owned buildings conveniently located to the place
19 of employment of the officers and employees to be served by the centers.

20 (b) If a child care program under AS 39.90.200 - 39.90.290 is located in a
21 state-owned office building, educational facility or institution, or custodial facility or
22 institution, or in a privately owned building leased by the state, the sponsoring state
23 agency may be responsible for the maintenance, utilities, and other operating costs
24 associated with the child care center, in accordance with regulations of the department.

25 **Sec. 39.90.230. Costs of care.** The cost of child care services provided under
26 AS 39.90.200 - 39.90.290 shall be offset by fees charged to the state officers and
27 employees or other parents who use the child care services. The department may
28 provide for a sliding fee schedule, with fees charged on the basis of household income.

29 **Sec. 39.90.240. Selection of providers.** The provider of proposed child care
30 services under AS 39.90.200 - 39.90.290 shall be selected by the department, using the
31 procedures in AS 36.30 (State Procurement Code). Management of the contract with

1 the service provider shall be the responsibility of the sponsoring state agency.

2 **Sec. 39.90.250. Requirements for service providers.** An operator selected to
3 provide services under AS 39.90.200 - 39.90.290 shall comply with all state and local
4 standards for the licensure and operation of child care facilities, maintain adequate
5 liability insurance coverage, and assume financial and legal responsibility for the
6 operation of the program.

7 **Sec. 39.90.260. Consortiums.** In the areas where the state has an insufficient
8 number of officers and employees to justify a work site child care center, a state
9 agency may join in a consortium arrangement with other public employers to provide
10 child care services.

11 **Sec. 39.90.270. Regulations.** The department may adopt regulations necessary
12 to achieve the purposes of AS 39.90.200 - 39.90.290.

13 **Sec. 39.90.290. Definitions.** In AS 39.90.200 - 39.90.290,

14 (1) "department" means the Department of Administration;

15 (2) "sponsoring state agency" means a state agency that requests the
16 assistance of the department in providing child care services to the children and
17 dependents of the agency's officers and employees.

18 * **Sec. 2.** This Act takes effect July 1, 2009.