

SENATE BILL NO. 129

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY SENATOR MCGUIRE

Introduced: 4/15/11

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.** Under AS 39.90.200 - 39.90.290, the
8 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 with 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 **Sec. 39.90.210. Children served.** (a) In providing child care services under
4 AS 39.90.200 - 39.90.290, the department shall give first priority to the children and
5 dependents of state officers and state employees. The department may also provide
6 services under AS 39.90.200 - 39.90.290 to the children and dependents of persons
7 who are not state officers or state employees.

8 (b) Subject to the priority established under (a) of this section, the department
9 shall emphasize providing child care services to, in order of priority,

10 (1) children who are under four years of age; and

11 (2) children who are four years of age or older and not subject to
12 compulsory school attendance.

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 and, with the consent of the president of the senate and the speaker of the
16 house of representatives, in buildings or spaces used for legislative activities. In
17 addition, a program may be located in a privately owned building or facility that is
18 convenient to the place of employment of the officers and employees the program
19 serves.

20 (b) If a child care program under AS 39.90.200 - 39.90.290 occupies a state-
21 owned office building or a privately owned building leased by the state, the
22 sponsoring state agency may be responsible for the costs associated with that
23 occupancy, including maintenance and utility costs, in accordance with regulations of
24 the department.

25 (c) When the state builds or purchases an office building for occupancy by
26 250 or more persons who are state officers or employees, the department shall cause
27 space in the building or facility to be reserved for a child care center under
28 AS 39.90.200 - 39.90.290.

29 **Sec. 39.90.230. Costs of care.** The cost of child care services provided under
30 AS 39.90.200 - 39.90.290 shall be offset by fees charged to the state officers, state
31 employees, and other persons whose children or dependents receive the child care

1 services. The department may provide for a sliding fee schedule, with fees charged on
2 the basis of household income.

3 **Sec. 39.90.240. Selection of providers.** The provider of proposed child care
4 services under AS 39.90.200 - 39.90.290 shall be selected by the department, using the
5 procedures in AS 36.30 (State Procurement Code). Management of the contract with
6 the service provider shall be the responsibility of the sponsoring state agency.

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

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

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

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

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

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

23 * **Sec. 2.** This Act takes effect July 1, 2011.