

HOUSE BILL NO. 43

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE KERTTULA

Introduced: 1/21/03

Referred: Health, Education and Social Services, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to child care services; and providing for an effective date."**

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

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

4 **Article 3. Child Care Services.**

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

9 (1) review and approve requests from state agencies for child care
10 services;

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

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

15 **Sec. 39.90.210. Children served.** The department shall give primary

1 emphasis to providing child care services to state officers' and employees' children and
 2 dependents who are not subject to compulsory school attendance, and, to the extent
 3 possible, emphasis shall be placed on child care for children under the age of four.
 4 The department may allow other parents to use the child care services, but shall give
 5 priority to the children and dependents of state officers and employees.

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

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

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

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

27 (b) Upon approval of the department, the sponsoring state agency may be
 28 responsible for the operation of the child care center when

29 (1) procedures under AS 36.30 fail to procure a qualified service
 30 provider; or

31 (2) the service provider's contract is cancelled and attempts to procure

1 another qualified service provider are unsuccessful.

2 **Sec. 39.90.250. Requirements for service providers.** An operator selected
3 to provide services under AS 39.90.200 - 39.90.290 shall comply with all state and
4 local standards for the licensure and operation of child care facilities, maintain
5 adequate liability insurance coverage, and assume financial and legal responsibility for
6 the operation of the program. Neither the operator nor any personnel employed by or
7 at a child care facility shall be considered to be employees of the state unless a state
8 agency operates the facility under AS 39.90.240(b).

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

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

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

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

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

20 * **Sec. 2.** This Act takes effect July 1, 2003.