

HOUSE BILL NO. 266

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES KERTTULA, Wilson

Introduced: 1/15/08

Referred: State Affairs, Health, Education and Social Services, 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 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 **Sec. 39.90.210. Children served.** The department shall give primary emphasis
4 to providing child care services to state officers' and employees' children and
5 dependents who are not subject to compulsory school attendance, and, to the extent
6 possible, emphasis shall be placed on child care for children under the age of four. The
7 department may allow other parents to use the child care services, but shall give
8 priority to the children and dependents of state officers and employees.

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

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

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

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

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

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

3 (2) the service provider's contract is cancelled and attempts to procure
4 another qualified service provider are unsuccessful.

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

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 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, 2008.