

HOUSE BILL NO. 37

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES KERTTULA, Tarr

Introduced: 1/16/13

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

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

1 (3) help sponsoring state agencies conduct needs assessments for child
2 care services, design child care centers, and select child care program operators; and

3 (4) provide child care services under AS 39.90.200 - 39.90.290.

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

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

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

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

14 **Sec. 39.90.220. Location of programs; operating costs.** (a) A child care
15 program under AS 39.90.200 - 39.90.290 may be located in a state-owned office
16 building and, with the consent of the president of the senate and the speaker of the
17 house of representatives, in a building or space used for legislative activities. In
18 addition, a program may be located in a privately owned building or facility that is
19 convenient to the place of employment of the officers and employees the program
20 serves.

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

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

30 **Sec. 39.90.230. Costs of care.** The cost of child care services provided under
31 AS 39.90.200 - 39.90.290 must be offset by fees charged to the state officers, state

1 employees, and other persons whose children or dependents receive the child care
2 services. The department may provide a sliding fee schedule, with fees charged on the
3 basis of household income.

4 **Sec. 39.90.240. Selection of providers.** The department shall

5 (1) select child care program operators to deliver child care services
6 under AS 39.90.200 - 39.90.290 using the procedures in AS 36.30 (State Procurement
7 Code); and

8 (2) enter into, with each child care program operator selected under
9 this section, a contract to be administered by the sponsoring state agency.

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

15 **Sec. 39.90.260. Consortiums.** In the areas where the state has an insufficient
16 number of officers and employees to justify a work site child care center, the
17 department or a sponsoring state agency may join in a consortium arrangement with
18 one or more other public employers to provide child care services.

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

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

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

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

26 * **Sec. 2.** This Act takes effect July 1, 2013.