

**HOUSE BILL NO. 51**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE KERTTULA

Introduced: 1/18/11

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, 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, a  
18 program may be located in a privately owned building that is convenient to the place  
19 of employment of the officers and employees the program serves.

20 (b) If a child care program under AS 39.90.200 - 39.90.290 occupies a state-  
21 owned office building, educational facility or institution, or custodial facility or  
22 institution, or a privately owned building leased by the state, the sponsoring state  
23 agency may be responsible for the costs associated with that occupancy, including  
24 maintenance and utility costs, 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, state  
27 employees, and other persons whose children or dependents receive the child care  
28 services. The department may provide for a sliding fee schedule, with fees charged on  
29 the basis of household income.

30 **Sec. 39.90.240. Selection of providers.** The provider of proposed child care  
31 services under AS 39.90.200 - 39.90.290 shall be selected by the department, using the

1 procedures in AS 36.30 (State Procurement Code). Management of the contract with  
2 the service provider shall be the responsibility of the sponsoring state agency.

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

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

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

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

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

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

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