

# Alaska State Legislature

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## Member

House Finance Committee

## Representative Mike Kelly

*House District 7*

### MEMORANDUM

**DATE:** February 15, 2010

**TO:** Representative Mike Kelly

**FROM:** Derek Miller

**RE:** Answers to Questions @ 2/9/10 HESS Hearing

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- 1) Does HJR 35 prevent the State of Alaska from initiating a new tier to the state retirement system? How would this constitutional amendment impact future changes to the current State of Alaska retirement system?**

This resolution does NOT prevent the State from initiating a new tier to the state retirement system. Changes can be made to the retirement system as long as those changes aren't a mandate on individuals or employers to purchase insurance. The state would also be prohibited from passing laws that penalize or fine individuals or employers from choosing not to purchase coverage.

- 2) Does this resolution prevent the federal government from making changes to Medicare, Tricare, Indian Health Services, etc...?**

This resolution does NOT preclude the federal government from doing anything. Individuals would still have the option to participate in the federal health insurance program. This act simply protects a person's right not to participate.

**3) How does this legislation address the problems the HESS committee has looked at? Example: Access, quality, affordability? Are there any fixes in the bill?**

HJR 35 prevents a one-size-fits-all universal coverage system. Alaska legislators must work on a targeted set of policy solutions to cover the uninsured and there are reforms that will advance this goal, along with HJR 35.

**4) Does this bind future legislatures from adopting the program the federal government comes up with?**

Yes, if that program includes mandating individuals and employers to purchase insurance or penalizes individuals for choosing not to purchase insurance. Individuals however, would still have the option to participate in the program.

**5) Does this amendment prevent the state from implementing a plan if it penalized employees and employers for not purchasing health insurance?**

Yes.

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Source:

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