

AMENDMENT #1

OFFERED IN THE SENATE

BY SENATOR HUGHES

TO: SCS CSHB 29(L&C)

1 Page 1, line 1, following "Act":

2 Insert "**relating to group insurance coverage and self-insurance coverage for**
3 **school district employees, employees of the University of Alaska, and employees of other**
4 **governmental units in the state"**

5
6 Page 1, line 2, following "official":

7 Insert "**; and providing for an effective date"**

8
9 Page 1, following line 3:

10 Insert new bill sections to read:

11 **** Section 1.** AS 14.08.101 is amended to read:

12 **Sec. 14.08.101. Powers.** A regional school board may

13 (1) sue and be sued;

14 (2) contract with the department, the Bureau of Indian Affairs, or any
15 other school district, agency, or regional board for the provision of services, facilities,
16 supplies, or utilities;

17 (3) determine its own fiscal procedures, including policies and
18 procedures for the purchase of supplies and equipment; the regional school boards are
19 exempt from AS 37.05 (Fiscal Procedures Act) and AS 36.30 (State Procurement
20 Code);

21 (4) appoint, compensate, and otherwise control all school employees in
22 accordance with this title; these employees are not subject to AS 39.25 (State
23 Personnel Act);

1 (5) adopt regulations governing organization, policies, and procedures
2 for the operation of the schools;

3 (6) establish, maintain, operate, discontinue, and combine schools
4 subject to the approval of the commissioner;

5 (7) recommend to the department projects for construction,
6 rehabilitation, and improvement of schools and education-related facilities as specified
7 in AS 14.11.011(b), and plan, design, and construct the project when the responsibility
8 for it is assumed under AS 14.11.020;

9 (8) by resolution adopted by a majority of all the members of the board
10 and provided to the commissioner of the department, assume ownership of all land and
11 buildings used in relation to the schools in the regional educational attendance area, as
12 provided for in AS 14.08.151(b);

13 (9) provide housing for rental to teachers, by leasing existing housing
14 from a local agency or individual, by entering into contractual arrangements with a
15 local agency or individual to lease housing that will be constructed by the local agency
16 or individual for that purpose, or, without using for the purpose that portion of public
17 school funding that consists of state aid provided under AS 14.17, by constructing or
18 otherwise acquiring housing that is owned and managed by the regional educational
19 attendance area for rental to teachers;

20 (10) employ a chief school administrator;

21 (11) apply for and use the proceeds of a loan from the Alaska energy
22 efficiency revolving loan fund (AS 18.56.855);

23 (12) **establish and maintain participation in a policy of insurance**
24 **as authorized by AS 14.27.010;**

25 (13) exercise those other functions that may be necessary for the
26 proper performance of its responsibilities.

27 * **Sec. 2.** AS 14.14.090 is amended to read:

28 **Sec. 14.14.090. Duties of school boards.** In addition to other duties, a school
29 board shall

30 (1) determine and disburse the total amount to be made available for
31 compensation of all school employees and administrative officers, **including, when**

1 **applicable, the amount necessary to pay for the district's participation in a policy**
2 **of insurance under AS 14.27.010;**

3 (2) provide for, during the school term of each year, an educational
4 program for each school age child who is enrolled in or a resident of the district;

5 (3) withhold the salary for the last month of service of a teacher or
6 administrator until the teacher or administrator has submitted all summaries, statistics,
7 and reports that the school board may require by bylaws;

8 (4) transmit, when required by the assembly or council but not more
9 often than once a month, a summary report and statement of money expended;

10 (5) keep the minutes of meetings and a record of all proceedings of the
11 school board in a pertinent form;

12 (6) keep the records and files of the school board open to inspection by
13 the public at the principal administrative office of the district during reasonable
14 business hours;

15 (7) establish procedures for the review and selection of all textbooks
16 and instructional materials at least once every 10 years, including textbooks and
17 curriculum materials for statewide correspondence programs, before they are
18 introduced into the school curriculum; the review includes a review for violations of
19 AS 14.18.060; nothing in this paragraph precludes a correspondence study student, or
20 the parent or guardian of a correspondence study student, from privately obtaining or
21 using textbooks or curriculum material not provided by the school district;

22 (8) provide prospective employees with information relating to the
23 availability and cost of housing in rural areas to which they might be assigned, and,
24 when possible, assist them in locating housing; however, nothing in this paragraph
25 requires a school district to provide teacher housing, whether district owned, leased,
26 rented, or through other means, nor does it require a school board to engage in a
27 subsidy program of any kind regarding teacher housing;

28 (9) train persons required to report under AS 47.17.020, in the
29 recognition and reporting of child abuse, neglect, and sexual abuse of a minor;

30 (10) provide for the development and implementation of a preventive
31 maintenance program for school facilities; in this paragraph, "preventive maintenance"

1 means scheduled maintenance actions that prevent the premature failure or extend the
2 useful life of a facility, or a facility's systems and components, and that are cost-
3 effective on a life-cycle basis;

4 (11) establish procedures for providing the training under
5 AS 14.18.060, AS 14.20.149, 14.20.680, AS 14.30.355, 14.30.356, 14.30.362,
6 AS 14.33.100, AS 18.66.310, and AS 47.17.022; the procedures established under this
7 paragraph must include a training schedule that ensures that not less than 50 percent of
8 the total certificated staff employed by the district receive all of the training not less
9 than every two years and that all of the certificated staff employed by the district
10 receive all of the training not less than every four years.

11 * **Sec. 3.** AS 14.17.300 is amended by adding new subsections to read:

12 (c) Notwithstanding (a) and (b) of this section, the commissioner of
13 administration

14 (1) may expend from the public education fund to the group health and
15 life benefits fund under AS 39.30.095 amounts necessary for the commissioner of
16 administration to pay claims submitted by district employees who are covered by a
17 policy of self-insurance that is provided by the Department of Administration under
18 AS 39.30.091;

19 (2) shall, over a period of 10 years from the date the first expenditure
20 authorized under this subsection occurs, reimburse the public education fund for
21 money expended under this section from the public education fund using
22 appropriations for that purpose.

23 (d) Total expenditures from the public education fund under (c) of this section
24 may not exceed \$100,000,000.

25 * **Sec. 4.** AS 14 is amended by adding a new chapter to read:

26 **Chapter 27. University and School District Employee Health Insurance.**

27 **Sec. 14.27.010. University and school district employee group health**
28 **insurance.** (a) A school employer may elect to participate in a policy of insurance
29 selected by the commissioner of administration that includes health insurance
30 coverage of school employees. If a school employer makes that election, the
31 commissioner of administration shall select either a policy of group insurance under

1 AS 39.30.090 that covers state employees and school employees, or a policy of self-
2 insurance, provided by the Department of Administration under AS 39.30.091, that
3 provides insurance coverage to state employees and school employees.

4 (b) Subject to (e) of this section, a participating school employer shall
5 contribute to the group health and life benefits fund established under AS 39.30.095 an
6 amount equal to the rate of employer contribution and the rate of employee
7 contribution set by the commissioner of administration under AS 39.30.095.

8 (c) In addition to the contribution required under (b) of this section and the
9 reimbursement required under (d) of this section, a participating school employer shall
10 reimburse the Department of Administration an amount equal to the state's cost, if any,
11 of procuring necessary excess loss insurance in connection with coverage of the
12 school employees under AS 39.30.091.

13 (d) In addition to the contribution required under (b) of this section and the
14 reimbursement required under (c) of this section, a participating school employer shall
15 reimburse the Department of Administration the cost of paying insurance claims for
16 the first four months school employees are covered by a policy of self-insurance under
17 AS 39.30.091. The commissioner of administration shall allow the reimbursement to
18 be made in equal installments over a period not to exceed 10 years from the date the
19 school employer's participation in the policy begins.

20 (e) Subject to AS 23.40.070 - 23.40.260 (Public Employee Relations Act), a
21 participating school employer may require school employees to pay some or all of the
22 school employer's contribution under (b) of this section and reimbursement under (c)
23 and (d) of this section.

24 (f) In this section,

25 (1) "school employee" means a person employed by a municipal
26 school district, a regional educational attendance area, or the University of Alaska;

27 (2) "school employer" means a municipal school district, a regional
28 educational attendance area, or the University of Alaska.

29 * **Sec. 5.** AS 14.40.170(b) is amended to read:

30 (b) The Board of Regents may

31 (1) adopt reasonable rules, orders, and plans with reasonable penalties

1 for the good government of the university and for the regulation of the Board of
2 Regents;

3 (2) determine and regulate the course of instruction in the university
4 with the advice of the president;

5 (3) set student tuition and fees;

6 (4) receive university receipts and, subject to legislative appropriation,
7 expend university receipts in accordance with AS 37.07 (Executive Budget Act);

8 (5) apply for and use the proceeds of a loan from the Alaska energy
9 efficiency revolving loan fund (AS 18.56.855);

10 **(6) establish and maintain participation in an insurance policy that**
11 **includes health insurance, as authorized under AS 14.27.010, to cover persons**
12 **employed by the university."**

13
14 Page 1, line 4:

15 Delete "Section 1"

16 Insert "Sec. 6"

17
18 Renumber the following bill section accordingly.

19
20 Page 2, following line 8:

21 Insert new bill sections to read:

22 **** Sec. 7. AS 39.30.090(a) is amended to read:**

23 (a) The Department of Administration may obtain a policy or policies of group
24 insurance covering state employees, persons entitled to coverage under AS 14.25.168,
25 14.25.480, AS 22.25.090, AS 39.35.535, 39.35.880, or former AS 39.37.145,
26 employees of other participating governmental units, or persons entitled to coverage
27 under AS 23.15.136, subject to the following conditions:

28 (1) a group insurance policy shall provide one or more of the following
29 benefits: life insurance, accidental death and dismemberment insurance, weekly
30 indemnity insurance, hospital expense insurance, surgical expense insurance, dental
31 expense insurance, audiovisual insurance, or other medical care insurance;

1 (2) each eligible employee of the state **or other participating**
2 **governmental unit and** [,] the spouse and the unmarried children chiefly dependent
3 on the eligible employee for support [, AND EACH ELIGIBLE EMPLOYEE OF
4 ANOTHER PARTICIPATING GOVERNMENTAL UNIT] shall be covered by the
5 group policy, unless exempt under regulations adopted by the commissioner of
6 administration;

7 (3) a governmental unit may participate under a group policy if

8 (A) its governing body adopts a resolution authorizing
9 participation and payment of required premiums;

10 (B) a certified copy of the resolution is filed with the
11 Department of Administration; and

12 (C) the commissioner of administration approves the
13 participation in writing;

14 (4) in procuring a policy of group health or group life insurance as
15 provided under this section or excess loss insurance as provided in AS 39.30.091, the
16 Department of Administration shall comply with the dual choice requirements of
17 AS 21.86.310, and shall obtain the insurance policy from an insurer authorized to
18 transact business in the state under AS 21.09, a hospital or medical service corporation
19 authorized to transact business in this state under AS 21.87, or a health maintenance
20 organization authorized to operate in this state under AS 21.86; an excess loss
21 insurance policy may be obtained from a life or health insurer authorized to transact
22 business in this state under AS 21.09 or from a hospital or medical service corporation
23 authorized to transact business in this state under AS 21.87;

24 (5) the Department of Administration shall make available bid
25 specifications for desired insurance benefits or for administration of benefit claims and
26 payments to (A) all insurance carriers authorized to transact business in this state
27 under AS 21.09 and all hospital or medical service corporations authorized to transact
28 business under AS 21.87 who are qualified to provide the desired benefits; and (B)
29 insurance carriers authorized to transact business in this state under AS 21.09, hospital
30 or medical service corporations authorized to transact business under AS 21.87, and
31 third-party administrators licensed to transact business in this state and qualified to

1 provide administrative services; the specifications shall be made available at least once
2 every five years; the lowest responsible bid submitted by an insurance carrier, hospital
3 or medical service corporation, or third-party administrator with adequate servicing
4 facilities shall govern selection of a carrier, hospital or medical service corporation, or
5 third-party administrator under this section or the selection of an insurance carrier or a
6 hospital or medical service corporation to provide excess loss insurance as provided in
7 AS 39.30.091;

8 (6) if the aggregate of dividends payable under the group insurance
9 policy exceeds the governmental unit's share of the premium, the excess shall be
10 applied by the governmental unit for the sole benefit of the employees;

11 (7) a person receiving benefits under AS 14.25.110, AS 22.25,
12 AS 39.35, or former AS 39.37 may continue the life insurance coverage that was in
13 effect under this section at the time of termination of employment with the state or
14 participating governmental unit;

15 (8) a person electing to have insurance under (7) of this subsection
16 shall pay the cost of this insurance;

17 (9) for each permanent part-time employee electing coverage under
18 this section, the state shall contribute one-half the state contribution rate for permanent
19 full-time state employees, and the permanent part-time employee shall contribute the
20 other one-half;

21 (10) a person receiving benefits under AS 14.25, AS 22.25, AS 39.35,
22 or former AS 39.37 may obtain auditory, visual, and dental insurance for that person
23 and eligible dependents under this section; the level of coverage for persons over 65
24 shall be the same as that available before reaching age 65 except that the benefits
25 payable shall be supplemental to any benefits provided under the federal old age,
26 survivors, and disability insurance program; a person electing to have insurance under
27 this paragraph shall pay the cost of the insurance; the commissioner of administration
28 shall adopt regulations implementing this paragraph;

29 (11) a person receiving benefits under AS 14.25, AS 22.25, AS 39.35,
30 or former AS 39.37 may obtain long-term care insurance for that person and eligible
31 dependents under this section; a person who elects insurance under this paragraph

1 shall pay the cost of the insurance premium; the commissioner of administration shall
2 adopt regulations to implement this paragraph;

3 (12) each licensee holding a current operating agreement for a vending
4 facility under AS 23.15.010 - 23.15.210 shall be covered by the group policy that
5 applies to governmental units other than the state.

6 * **Sec. 8.** AS 39.30.090(b)(2) is amended to read:

7 (2) "governmental unit" means the state, a municipality, a school
8 district, the University of Alaska, or other political subdivision of the state, and the
9 North Pacific Fishery Management Council;

10 * **Sec. 9.** AS 39.30.090(b) is amended by adding a new paragraph to read:

11 (4) "school district" means a municipal school district or regional
12 educational attendance area.

13 * **Sec. 10.** AS 39.30.091 is amended to read:

14 **Sec. 39.30.091. Authorization for self-insurance and excess loss insurance.**

15 Notwithstanding AS 21.86.310 or AS 39.30.090, the Department of Administration
16 may provide, by means of self-insurance, one or more of the benefits listed in
17 AS 39.30.090(a)(1) for [STATE] employees eligible under AS 39.30.090(a) [FOR
18 THE BENEFITS BY LAW] or under a collective bargaining agreement and for
19 persons receiving benefits under AS 14.25, AS 22.25, AS 39.35, or former AS 39.37,
20 and their dependents. The department shall procure any necessary excess loss
21 insurance under AS 39.30.090.

22 * **Sec. 11.** AS 39.30.091 is amended by adding a new subsection to read:

23 (b) If the department is required by (a) of this section to procure excess loss
24 insurance in connection with coverage of employees who are not state employees, the
25 department may allocate the cost of that insurance across all employers, other than the
26 state, that participate in self-insurance provided by the department under this section."
27

28 Renumber the following bill section accordingly.

29
30 Page 2, line 11:

31 Delete "This"

1 Insert "(a) Section 6 of this"

2

3 Page 2, line 12, following "of":

4 Insert "sec. 6 of"

5

6 Page 2, following line 12:

7 Insert new material to read:

8 "(b) Sections 1 - 5 and 7 - 11 of this Act apply to a contract or collective bargaining
9 agreement that becomes legally binding on or after the effective date of secs. 1 - 5 and 7 - 11
10 of this Act.

11 * **Sec. 13.** The uncodified law of the State of Alaska is amended by adding a new section to
12 read:

13 TRANSITION. Not later than 30 days after enrolling in a health care plan
14 administered by the state under AS 39.30.090 or 39.30.091, a governmental unit that, before
15 the effective date of this section, maintains a self-funded insurance reserve for the purpose of
16 paying employee health insurance claims shall transfer the closing balance of that reserve to
17 the group health and life benefits fund under AS 39.30.095. An amount transferred under this
18 section by a governmental unit that is a school district shall be applied to offset
19 reimbursement owed by that school district under AS 14.27.010(d), enacted by sec. 4 of this
20 Act. In this section, "governmental unit" has the meaning given in AS 39.30.090(b).

21 * **Sec. 14.** The uncodified law of the State of Alaska is amended by adding a new section to
22 read:

23 REGULATIONS. The commissioner of administration shall adopt regulations
24 necessary to implement the changes made by secs. 1 - 5 and 7 - 11 of this Act. The regulations
25 may not take effect before the effective date of the law implemented by the regulation.

26 * **Sec. 15.** Sections 13 and 14 of this Act take effect immediately under AS 01.10.070(c).

27 * **Sec. 16.** Sections 1 - 5, 7 - 11, and 12(b) of this Act take effect July 1, 2024."