

AMENDMENT #4

OFFERED IN THE SENATE

BY SENATOR HUGHES

TO: SCS CSHB 69(FIN)

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

2 Insert "relating to group insurance coverage and self-insurance coverage for  
3 school district employees and employees of the University of Alaska;"

4

5 Page 1, following line 2:

6 Insert new bill sections to read:

7 **\*\* Section 1.** AS 14.08.101 is amended to read:

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

9 (1) sue and be sued;

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

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

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

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

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

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

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

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

16 (10) employ a chief school administrator;

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

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

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

23 \* Sec. 2. AS 14.14.090 is amended to read:

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

26 (1) determine and disburse the total amount to be made available for  
 27 compensation of all school employees and administrative officers, **including, when**  
 28 **applicable, the amount necessary to pay for the district's participation in a policy**  
 29 **of insurance under AS 14.27.010;**

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

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

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

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

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

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

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

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

26 (10) provide for the development and implementation of a preventive  
27 maintenance program for school facilities; in this paragraph, "preventive maintenance"  
28 means scheduled maintenance actions that prevent the premature failure or extend the  
29 useful life of a facility, or a facility's systems and components, and that are cost-  
30 effective on a life-cycle basis;

31 (11) establish procedures for providing the training under

1 AS 14.18.060, AS 14.20.149, 14.20.680, AS 14.30.355, 14.30.356, 14.30.362,  
 2 AS 14.33.100, AS 18.66.310, and AS 47.17.022; the procedures established under this  
 3 paragraph must include a training schedule that ensures that not less than 50 percent of  
 4 the total certificated staff employed by the district receive all of the training not less  
 5 than every two years and that all of the certificated staff employed by the district  
 6 receive all of the training not less than every four years.

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

8 (c) Notwithstanding (a) and (b) of this section, the commissioner of  
 9 administration

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

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

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

21  
 22 Page 1, line 3:

23 Delete "**Section 1**"

24 Insert "**Sec. 4**"

25  
 26 Renumber the following bill section accordingly.

27  
 28 Page 1, line 6:

29 Delete all material and insert:

30 **\*\* Sec. 5.** AS 14 is amended by adding a new chapter to read:

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

1           **Sec. 14.27.010. University and school district employee group health**  
2 **insurance.** (a) A school employer may elect to participate in a policy of insurance  
3 selected by the commissioner of administration that includes health insurance  
4 coverage of school employees. If a school employer makes that election, the  
5 commissioner of administration shall select either a policy of group insurance under  
6 AS 39.30.090 that covers state employees and school employees or a policy of self-  
7 insurance provided by the Department of Administration under AS 39.30.091 that  
8 provides insurance coverage to state employees and school employees.

9           (b) Subject to (e) of this section, a participating school employer shall  
10 contribute to the group health and life benefits fund established under AS 39.30.095 an  
11 amount equal to the combined employer and employee contribution rates set by the  
12 commissioner of administration under AS 39.30.095(b).

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

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

25           (e) Subject to AS 23.40.070 - 23.40.260 (Public Employment Relations Act),  
26 a participating school employer may require school employees to pay some or all of  
27 the school employer's contribution under (b) of this section and reimbursement under  
28 (c) and (d) of this section.

29           (f) In this section,

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

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

3 \* Sec. 6. AS 14.40.170(b) is amended to read:

4 (b) The Board of Regents may

5 (1) adopt reasonable rules, orders, and plans with reasonable penalties  
6 for the good government of the university and for the regulation of the Board of  
7 Regents;

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

10 (3) set student tuition and fees;

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

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

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

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

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

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

28 (2) each eligible **state** employee **or school employee** [OF THE  
29 STATE], the spouse and the unmarried children chiefly dependent on the eligible  
30 employee for support, and each eligible employee of another participating  
31 governmental unit shall be covered by the group policy, unless exempt under

1 regulations adopted by the commissioner of administration;

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

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

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

7 (C) the commissioner of administration approves the  
8 participation in writing;

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

19 (5) the Department of Administration shall make available bid  
20 specifications for desired insurance benefits or for administration of benefit claims and  
21 payments to (A) all insurance carriers authorized to transact business in this state  
22 under AS 21.09 and all hospital or medical service corporations authorized to transact  
23 business under AS 21.87 who are qualified to provide the desired benefits; and (B)  
24 insurance carriers authorized to transact business in this state under AS 21.09, hospital  
25 or medical service corporations authorized to transact business under AS 21.87, and  
26 third-party administrators licensed to transact business in this state and qualified to  
27 provide administrative services; the specifications shall be made available at least once  
28 every five years; the lowest responsible bid submitted by an insurance carrier, hospital  
29 or medical service corporation, or third-party administrator with adequate servicing  
30 facilities shall govern selection of a carrier, hospital or medical service corporation, or  
31 third-party administrator under this section or the selection of an insurance carrier or a

1 hospital or medical service corporation to provide excess loss insurance as provided in  
2 AS 39.30.091;

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

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

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

12 (9) for each permanent part-time employee electing coverage under  
13 this section, the state shall contribute one-half the state contribution rate for permanent  
14 full-time state employees, and the permanent part-time employee shall contribute the  
15 other one-half;

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

24 (11) a person receiving benefits under AS 14.25, AS 22.25, AS 39.35,  
25 or former AS 39.37 may obtain long-term care insurance for that person and eligible  
26 dependents under this section; a person who elects insurance under this paragraph  
27 shall pay the cost of the insurance premium; the commissioner of administration shall  
28 adopt regulations to implement this paragraph;

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

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

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

5 \* **Sec. 9.** AS 39.30.090(b) is amended by adding new paragraphs to read:

6 (4) "school district" means a municipal school district or regional  
7 educational attendance area;

8 (5) "school employee" has the meaning given under AS 14.27.010(f).

9 \* **Sec. 10.** AS 39.30.091 is amended to read:

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

11 Notwithstanding AS 21.86.310 or AS 39.30.090, the Department of Administration  
12 may provide, by means of self-insurance, one or more of the benefits listed in  
13 AS 39.30.090(a)(1) for state employees or school employees eligible for the benefits  
14 by law or under a collective bargaining agreement and for persons receiving benefits  
15 under AS 14.25, AS 22.25, AS 39.35, or former AS 39.37 [,] and their dependents.  
16 The department shall procure any necessary excess loss insurance under  
17 AS 39.30.090.

18 \* **Sec. 11.** AS 39.30.091 is amended by adding new subsections to read:

19 (b) If the Department of Administration is required by (a) of this section to  
20 procure excess loss insurance in connection with coverage of school employees, the  
21 department may allocate the cost of that insurance across all school employers that  
22 participate in self-insurance provided by the department under this section.

23 (c) In this section, "school employee" and "school employer" have the  
24 meanings given in AS 14.27.010(f).

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

27 **APPLICABILITY.** Sections 1 - 3 and 5 - 11 of this Act apply to a contract or  
28 collective bargaining agreement that becomes legally binding on or after the effective date of  
29 secs. 1 - 3 and 5 - 11 of this Act.

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

1           TRANSITION. Not later than 30 days after enrolling in a health care plan  
2 administered by the state under AS 39.30.090 or 39.30.091, a school employer that, before the  
3 effective date of this section, maintains a self-funded insurance reserve for the purpose of  
4 paying employee health insurance claims shall transfer the closing balance of that reserve to  
5 the group health and life benefits fund under AS 39.30.095. An amount transferred under this  
6 section by a school employer shall be applied to offset reimbursement owed by that school  
7 employer under AS 14.27.010(d), enacted by sec. 5 of this Act. In this section, "school  
8 employer" has the meaning given in AS 14.27.010(f).

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

11           REGULATIONS. The commissioner of administration shall adopt regulations  
12 necessary to implement the changes made by this Act. The regulations may not take effect  
13 before the effective date of the law implemented by the regulation.

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

15           \* **Sec. 16.** Section 4 of this Act takes effect July 1, 2025.

16           \* **Sec. 17.** Except as provided in secs. 15 and 16 of this Act, this Act takes effect July 1,  
17 2026."