

SENATE AMENDMENTS TO SENATE BILL 639

By COMMITTEE ON REVENUE

May 17

1 On page 1 of the printed bill, delete lines 20 through 24 and insert:

2 “(5)(a) ‘Eligible employee’ includes:

3 “(A) An officer or employee of a district who elects to participate in one of the benefit plans
4 described in sections 3 to 8 of this 2005 Act; and

5 “(B) An officer or employee of a district, whether or not retired, who:

6 “(i) Is receiving a service retirement allowance, a disability retirement allowance or a pension
7 under the Public Employees Retirement System or is receiving a service retirement allowance, a
8 disability retirement allowance or a pension under any other retirement or disability benefit plan
9 or system offered by the district for its officers and employees;

10 “(ii) Is eligible to receive a service retirement allowance under the Public Employees Retirement
11 System and has reached earliest service retirement age under ORS chapter 238;

12 “(iii) Is eligible to receive a pension under ORS 238A.100 to 238A.245 and has reached earliest
13 retirement age as described in ORS 238A.165; or

14 “(iv) Is eligible to receive a service retirement allowance or pension under any other retirement
15 benefit plan or system offered by the district and has attained earliest retirement age under the plan
16 or system.

17 “(b) Except as provided in paragraph (a)(B) of this subsection and notwithstanding paragraph
18 (a)(A) of this subsection, ‘eligible employee’ does not include an individual:

19 “(A) Who is engaged as an independent contractor;

20 “(B) Whose periods of employment in emergency work are on an intermittent or irregular basis;

21 “(C) Who is employed on less than a half-time basis unless the individual is employed in a po-
22 sition classified as a job-sharing position or unless the individual is defined as eligible under rules
23 of the Oregon Educators Benefit Board or under a collective bargaining agreement; or

24 “(D) Who is employed by a community college and is not included as an eligible employee under
25 policies adopted by the board of education of the community college district or under a collective
26 bargaining agreement.”.

27 On page 2, delete lines 1 through 4.

28 On page 3, line 8, after the period insert “The Public Contracting Code does not apply to con-
29 tracts for benefit plans provided under sections 1 to 16 of this 2005 Act. The board may not exclude
30 from competition to contract for a benefit plan an Oregon carrier solely because the carrier does
31 not serve all counties in Oregon.

32 “(5) At least biennially, the board shall establish a maximum premium cost per benefit plan.”.

33 In line 9, delete “(5)” and insert “(6)”.

34 On page 6, line 32, after the period insert “Interest earned by the Oregon Educators Revolving
35 Fund shall be credited to the fund.”.

1 In line 39, delete "There is appropriated to the Oregon Educators Revolving Fund".

2 In line 43, before the period insert ", shall be deposited in the Oregon Educators Revolving
3 Fund".

4 On page 7, line 5, delete "self-insured district or a district with" and insert "district that was
5 self-insured before January 1, 2005, or a district that had".

6 In line 6, after "trust" insert "established and functioning before January 1, 2005,".

7 In line 14, after the period insert "Once employees of a district participate in benefit plans
8 provided, administered and maintained by the board, the district may not thereafter provide or
9 contract for benefit plans other than those provided, administered and maintained by the board.".

10 In line 21, delete "July" and insert "October".

11 In line 24, delete "July" and insert "October".

12 Delete lines 29 through 33 and insert:

13 "(3)(a) If a collective bargaining agreement exists between a district and employees of the dis-
14 trict and the agreement expires after July 1, 2006, subsection (2) of this section does not apply to
15 the district or employees of the district. However:

16 "(A) Upon expiration of the collective bargaining agreement, subsection (2) of this section does
17 apply to the district and employees of the district, except as provided in subparagraph (B) of this
18 paragraph and subsection (4) of this section.

19 "(B) When a contract exists between the district and a carrier, and the contract expires before
20 the collective bargaining agreement expires, upon expiration of the contract, subsection (2) of this
21 section does apply to the district and employees of the district, except as provided in subsection (4)
22 of this section.

23 "(b) If no collective bargaining agreement exists between the district and employees of the dis-
24 trict, and if a contract exists between the district and a carrier and the contract expires after Oc-
25 tober 1, 2006, subsection (2) of this section does not apply to the district or employees of the district.
26 However, upon expiration of the contract, subsection (2) of this section does apply to the district
27 and employees of the district, except as provided in subsection (4) of this section.".

28 In line 34, delete "July" and insert "October".

29 In line 37, delete "July" and insert "October".

30 In line 43, after the period insert "Once employees of a district participate in benefit plans
31 provided, administered and maintained by the board, the district may not thereafter provide or
32 contract for benefit plans other than those provided, administered and maintained by the board.".

33 Delete lines 44 and 45 and insert:

34 **"SECTION 19. (1) Before October 1, 2006, the Oregon Educators Benefit Board shall enter
35 into contracts for health benefit plan and dental benefit plan coverage of eligible employees
36 in accordance with section 3 (4) of this 2005 Act and the criteria set forth in section 4 (1) of
37 this 2005 Act.**

38 **"(2) The board shall offer a range of benefit plan designs sufficient to ensure that, when
39 benefit plans are first provided by the board to a district, the district and district employees
40 can choose benefit plans that are comparable in design to, and are not more expensive than
41 the comparable costs of, the benefit plans the district provided immediately before the pur-
42 chase of the benefit plans provided by the board. The board shall determine rates for benefit
43 plans based on the benefit plan designs and the aggregated experience of all districts partic-
44 ipating in the benefit plans."**

45 On page 8, delete lines 1 and 2.

1 On page 9, line 45, delete “public school teacher” and insert “nonmanagement district employee
2 and who is in a labor organization representing district employees”.
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