

SENATE AMENDMENTS TO SENATE BILL 901

By COMMITTEE ON EDUCATION AND GENERAL GOVERNMENT

April 24

1 On page 1 of the printed bill, line 2, delete “creating new provisions;”.

2 Delete lines 5 through 30 and delete page 2 and insert:

3 “**SECTION 1.** ORS 243.886 is amended to read:

4 “243.886. (1) Except as provided in [*subsection (2)*] **subsections (2) and (3)** of this section:

5 “(a) A district may not provide or contract for a benefit plan unless the benefit plan is provided
6 and administered by the Oregon Educators Benefit Board under ORS 243.860 to 243.886; and

7 “(b) Eligible employees of a district may participate only in benefit plans provided and admin-
8 istered by the board.

9 “(2)(a) Except for community college districts, a district that was self-insured before January 1,
10 2007, or a district that had an independent health insurance trust established and functioning before
11 January 1, 2007, may provide or contract for benefit plans other than benefit plans provided and
12 administered by the board if the premiums for the benefit plans provided or contracted for by the
13 district are equal to or less than the premiums for comparable benefit plans provided and adminis-
14 tered by the board.

15 “(b) A community college district may provide or contract for benefit plans other than benefit
16 plans provided and administered by the board.

17 “(c) In accordance with procedures adopted by the board to extend benefit plan coverage under
18 ORS 243.864 to 243.874 to eligible employees of a self-insured district, a district with an independent
19 health insurance trust or a community college district, these districts may choose to offer benefit
20 plans that are provided and administered by the board. Once employees of a district participate in
21 benefit plans provided and administered by the board, the district may not thereafter provide or
22 contract for benefit plans other than those provided and administered by the board.

23 “(3)(a) **A district that has not offered benefit plans provided and administered by the**
24 **board before the effective date of this 2009 Act may provide or contract for benefit plans**
25 **other than benefit plans provided and administered by the board if the premiums for the**
26 **benefit plans provided or contracted for by the district are equal to or less than the premi-**
27 **ums for comparable benefit plans provided and administered by the board. Once employees**
28 **of a district or an employee group within a district participates in benefit plans provided and**
29 **administered by the board, the district may not thereafter provide or contract for benefit**
30 **plans for those employees or employee groups other than those provided and administered**
31 **by the board.**

32 “(b) **To maintain the exception created in this subsection, the board must perform an**
33 **actuarial analysis of the district at least once every two years. If requested by the district**
34 **or a labor organization representing eligible employees of the district, the board shall per-**
35 **form the actuarial analysis annually.**

1 **“(c) As used in this subsection, ‘district’ does not include a community college district.**
2 **“[(3)] (4) Nothing in ORS 243.860 to 243.886 may be construed to expand or contract collective**
3 **bargaining rights or collective bargaining obligations.**

4 **“SECTION 2. This 2009 Act being necessary for the immediate preservation of the public**
5 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**
6 **on its passage.”.**

7
