

**RESOLUTION APPROVING AND ADOPTING THE MONTANA  
MUNICIPAL INTERLOCAL AUTHORITY REVISED AND RESTATED  
WORKERS' COMPENSATION PROGRAM AGREEMENT**

WHEREAS, the City of Billings is duly organized under the laws of the State of Montana; and

WHEREAS, Article XI, Section 7 of the Montana Constitution provides that a political subdivision may a) cooperate in the exercise of any function, power, or responsibility with, b) share the services of any officer or facilities with, and c) transfer or delegate any function, power responsibility, or duty of any officer to one or more other local government units, the state or the United States; and

WHEREAS, Mont. Code Ann. Title 7, Chapter 11, Part 1, (the Interlocal Cooperation Act) authorizes political subdivisions to create interlocal agreements to jointly perform any undertaking that each such political subdivision unit is authorized by law to perform; and

WHEREAS, Mont. Code Ann. § 2-9-211, authorizes political subdivisions of the State to procure insurance separately or jointly with other subdivisions, and to use a deductible or self-insurance plan, wholly or in part; and

WHEREAS, Mont. Code Ann. § 39-71-403, authorizes public corporations, which term includes cities and towns, to self-insure, either separately or jointly with other public corporations for workers' compensation coverage; and

WHEREAS, the Montana Municipal Interlocal Authority (Authority) is a joint exercise of powers entity established pursuant to an Interlocal Cooperation Agreement in accordance with the provisions of the Interlocal Cooperation Act for the purpose of providing pooled risk coverage programs for the City of Billings and other political subdivisions executing the Interlocal Agreement; and

WHEREAS, the Authority is authorized to exercise necessary powers to implement the purposes of the Authority as established by the Interlocal Agreement; and

WHEREAS, the Authority Board of Directors approved a Workers' Compensation program change that establishes several financial performance ratios that the Board will use to determine a target range for program capitalization, which will promote stable and predictable rates for all members, and

WHEREAS, the proposed program change must be approved by a majority of program member cities before it can take effect on July 1, 2014.

NOW THEREFORE, BE IT RESOLVED THAT the City of Billings hereby approves and adopts this Revised and Restated Workers' Compensation Program Agreement with a delayed effective date of July 1, 2014.

Adopted this 24<sup>th</sup> day of February, 2014.

By \_\_\_\_\_  
Thomas W. Hanel, Mayor

ATTEST:

\_\_\_\_\_  
Cari Martin, City Clerk