

HOUSE JOINT RESOLUTION NO. 62  
INTRODUCED BY S. MENDENHALL

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN APPROPRIATE INTERIM COMMITTEE TO STUDY THE STATE FUND WITH RESPECT TO ITS ORGANIZATIONAL STRUCTURE, INCLUDING CONSIDERING WHETHER THE STATE FUND SHOULD OPERATE AS A PUBLIC, NONPROFIT CORPORATION OR A PUBLIC CORPORATION WITH OR WITHOUT PUBLICLY TRADING STOCK.

WHEREAS, it is in the best interest of the state, Montana employees, and Montana employers to ensure the creation and continued existence of a strong and stable workers' compensation system for the provision of mandatory workers' compensation coverage; and

WHEREAS, the operation of a competitive State Fund is a unique activity for state government; and

WHEREAS, it is important for the State Fund to be able to respond quickly to changing market conditions and the needs of Montana's existing and prospective employees and employers; and

WHEREAS, it is in the best interest of the state, Montana employees, and Montana employers to determine the most cost-effective way for the State Fund to operate; and

WHEREAS, it is necessary for the Legislature to have adequate information to determine if the State Fund is being managed and operated in an entrepreneurial and business-like manner that will ensure low rates for employers and adequate and fair coverage for employees.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to examine the State Fund and existing state laws with the objective of determining the most efficient and beneficial organizational structure under which the State Fund should operate, including but not limited to its present operating structure, its operation as a public, nonprofit corporation, and its operation as a public corporation with or without publicly trading stock as an independent insurance company subject only to the same regulation by the state as other insurance companies doing business in this state.

BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be

presented to and reviewed by an appropriate committee designated by the Legislative Council.

BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review requirements, be concluded prior to September 15, 2008.

BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions, comments, or recommendations of the appropriate committee, be reported to the 61st Legislature.

- END -