

**RESOLUTION**  
**A RESOLUTION SUPPORTING GOVERNMENTAL**  
**SELF-INSURANCE POOLING AND IN OPPOSITION**  
**TO NON-PRODUCTIVE LEGISLATIVE RESTRAINTS**

WHEREAS, from time-to-time, cyclical and fluctuating pricing and availability in the conventional insurance market has made it difficult for governmental bodies to offer needed protection at a reasonable cost; and

WHEREAS, commencing in 1979, all types of Illinois governmental bodies began to collectively self-insure through the use of governmental self-insurance pools; and

WHEREAS, in the case of Antiporek v. Hillside, the Illinois Supreme Court praised the institution of governmental self-insurance pools and validated their existence and the benefits which pooling provides to its public entities; and

WHEREAS, Collective Liability Insurance Cooperative ("Pool") is a self-insurance pool of Public School Districts and 170 Members [*Insert Type and Number of Members*]; and

WHEREAS, Geneva Community Unit School District 304 is a member of the Pool; and

WHEREAS, the Pool is governed by a Board of Directors and Executive Committees composed of representatives of the Member governments. The Pool functions efficiently, and effectively, and reflects the philosophical position of its governmental members rather than that of a private insurance company; and

WHEREAS, the Pool employs experienced consultants such as Arthur J. Gallagher to assist in its operations; and

WHEREAS, governmental self-insurance pools historically have dramatically reduced administrative and operational costs and saved their governmental Members and the taxpayers of this State millions of dollars; and

WHEREAS, at least three pieces of recently-proposed legislation aimed at intergovernmental pooling were introduced in the Illinois General Assembly; and

WHEREAS, these bills were not directed at actual problems or abuses of governmental self-insurance pools but, rather, are attempts to weaken the benefits of pooling; and

WHEREAS, the governmental bodies which pass this Resolution want their Legislators to be acutely aware of their strong and active desire to be consulted whenever bills are introduced affecting governmental pooling:

NOW, THEREFORE, BE IT RESOLVED BY THE Board of Education OF  
Geneva Community Unit School District 304 COUNTY(IES) of Kane,  
ILLINOIS, as follows:

SECTION I: History of Pooling: Governmental self-insurance pools have functioned as active intergovernmental agencies in Illinois since December of 1979. Almost all types of local governmental bodies in the State of Illinois and school districts have created and joined governmental self-insurance pools. Many of governmental self-insurance pools in the State of Illinois, are governed by Boards of Directors or Executive Committees composed of representatives of the Member governments. Our Pool functions efficiently, and effectively. Each pool reflects the philosophical position of its governmental members rather than that of a private insurance company.

SECTION 2: Legislation and Pooling: The purpose of this Resolution is to alert the Members of the General Assembly, which represent our districts, about the important role which governmental self-insurance pools play in the State of Illinois and to prevent what to date has been unnecessary and destructive legislation proposed to harm the efficient operation of these important governmental institutions.

SECTION 3: Specific Legislation: None of the recent legislative attempts directed at Pools sought to correct errors or Pool failures, but only to harm the ability of governmental pools to operate in manners typically chosen by their Members as fulfilling the pool's objective. These bills were introduced, without explanation, and efforts were made for their passage with the least opportunity for governmental pools to object to their provisions or to explain the adverse impacts which this legislation would have on governmental bodies in every part of the State.

SECTION 4: What Pool Members Expect From Their Legislators:

By the passage of this Resolution, we ask our representatives in the Illinois General Assembly to:

- a. Be aware of the special place and importance that governmental self-insurance pools play in the economic operation of Geneva Community Unit School District 304 and the other Illinois governmental bodies.
- b. Identify and evaluate all proposed legislation which affects Geneva Community Unit School District 304 and the other government bodies within their District, which are members of governmental self-insurance pools.
- c. Consult with Geneva Community Unit School District 304 and the other governmental

bodies within their District, which have expressed interest in governmental pooling and/or rely upon governmental pooling to provide user-directed broad based and affordable insurance coverage for the thousands of employees and citizens who come into contact with governmental bodies every day within your legislative District.

d. Consult with Geneva Community Unit School District 304 and these other governmental bodies to learn of the positive or negative effect that such legislation may have on their ability to continue to efficiently operate governmental self-insurance pools.

e. Be aware that every governmental body in this State, which is a member of a governmental self-insurance pool, is regulated by a required audit, which that Pool provides annually to the Illinois Department of Insurance.

SECTION 5: Pool Member Response. This governmental body pledges to promptly provide information to the Legislator regarding its views about legislative proposals affecting pooling and to do so with a full recognition that legislation may sometimes be necessary, especially in the face of improper actions or perceived difficulties. Absent such real and provable defects, however, the provisions of the Illinois Constitution and statues, which allow for intergovernmental cooperation for the purpose of making government more efficient and less costly, should not be carelessly sacrificed to the private interests of entities that seek to harm or diminish the efficient operation of self-insurance pools.

SECTION 6: Effective Date. This Resolution shall be in full force and effect

immediately upon its passage and a certified copy of this Resolution shall be sent to a central location for collation and transferred to the Members of the Illinois General Assembly and to the Governor.

PASSED this 10<sup>th</sup> day of December, 2012

AYES:

NAYS:

ABSENT:

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Mark Grosso, Board President

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Clerk

Kent Mutchler, Superintendent  
Board Secretary