

Senate Bill 304 Study Committee

May 11, 2004

8:30 a.m. – 3:00 p.m.

Room 317, State Capitol
Helena, MT

Committee Members - Senator Royal Johnson, Senator Bea McCarthy, Representative Dave Lewis, Representative Bob Bergren, Jacqueline Lenmark, George Wood, Jack Morgenstern, Tom Beck, David Hunter

I. Opening comments – Senator Johnson, Chairman (8:30 a.m.)

- A. Approval of Minutes

II. Old Fund (8:35 a.m.)

- A. Committee Determination on Sale of Old Fund – Committee Action
- B. Recommendation to Propose Legislation for Risk Financing Alternatives - Committee Action
- C. Other Legislative Alternatives for the Old Fund- Committee Action

III. University System Update (9:05 a.m.)

- A. Jerry Keck, Administrator, Employment Relations Division, DOL

IV. Committee Proposals For Any Additional Legislative Oversight of Montana State Fund - Committee Action (9:25 a.m.)

Break (9:50 a.m.)

V. Role and Purpose of Montana State Fund - Committee Action (On items B-H) (10:10 a.m.)

- A. Public Comment
- B. Guaranteed Market Function/Federal Tax Exempt Status
- C. Payment of Premium Tax
- D. Status as Sole Carrier of State Agencies
 - i. Authority for Montana State Fund as TPA for public entities
- E. State Agency Status of Montana State Fund
 - i. Punitive Damages
 - ii. Exemption from Certain State Agency Requirements
- F. Montana State Fund Office Building –Sale/Rent/Build
- G. Insurance Commissioner Regulation
 - i. Dissolution and Liquidation Status of Montana State Fund
 - ii. Investment Authority by Board of Directors
 - iii. Insurance Fraud Investigation and Prosecution Status
 - iv. Guaranty Fund Membership
 - v. Domestic Mutual Status of Montana State Fund
 - a. Election of Directors
 - vi. Ratemaking Authority
 - vii. Compliance with NCCI Classification Codes
 - viii. Financial Reporting and Examinations by Insurance Commissioner
- H. Other Insurance Business- Non-Workers' Compensation Related

Lunch Break- on your own- (12 noon)

VI. Role of Montana State Fund - Committee Action (On items B-H) (continued) (1:00 p.m.)

VII. Public Comment (2:00 p.m.)

VIII. Next Meeting (2:45 p.m.)

- A. Committee Recommendations for Initiation of Draft Report of Study Committee Findings
- B. Date and agenda

Reasonable accommodations will be made for any known disability that may interfere with a person's ability to participate in state government. Persons needing accommodations must contact Kathy Gowen at the Montana State Fund no later than May 7, 2004, by calling 444-7759 (TTD 444-5971) or writing to Montana State Fund, General Counsel, P.O. Box 4759, Helena, MT 59604-4759, to allow adequate time to make arrangements.