

In its new structure, Montana Mutual and/or employees would no longer be subject to the following state agency requirements:

2-3-301 *Use of electronic mail systems* - For public comment for rule making.

2 Chapter 4 *Administrative Procedure Act*- The MAPA requires agencies to set their policies and procedures in rules. MSF's rate making policies and procedures are presently set forth in rules adopted under the MAPA. In the future, the rate-making process would be established by the board.

2 Chapter 5 *Negotiated Rulemaking Act*- This is connected to the preceding statute. As MAPA will not apply, this Act will also not apply to the new Montana Mutual.

2-6-201 -214*Public Records Management*- MSF must currently comply with the statutory process for record keeping. The change would not eliminate the need to keep records, but more the issues of how and where records are kept.

2-8 Part 1 *Periodic Agency Evaluation* - This statute provides for a periodic review and evaluation of the need for, and performance of, state agencies.

2-8-Part 3 *Privatization Plan Review*-This statute provides a procedure for an agency to evaluate the privatization of state services. Privatization means contracting with the private sector to provide services normally provided by state employees if the contract displaces five or more employees.

2-9-Part 6 *Bonds of State Officers and Employees* –This section provides that DOA will purchase surety bonds for state employees.

2-17 Part 2 *Equipage and supplies* –This statute deals with inspections and inventorying of equipment and supplies owned by an agency.

2-17 Part 3 *Mailing and copying* - This statute gives DOA the authority to establish a central mail processing plant for state agencies.

2-17 Part 4 *Vehicles*- This section establishes the state motor pool and rules for the use of state-owned vehicles.

2-17-501–546 *Information Technology*- includes telecommunications– These sections provide for the centralization of information technology in the DOA, and for the creation of the office of CIO. ITSD must approve software acquisitions by agencies and establish IT policies and procedures.

2-17-Part 1 *Montana Electronic Government Services Act*- This Act sets up a process for the government to offer services over the Internet. Montana Mutual will still be covered by the Uniform Electronic Transactions Act, which more closely deals with Internet business that Montana Mutual may transact in the future.

2-18 Part 4 Payroll systems – This exemption is tied to several others dealing with the state’s accounting system. This part provides that DOA will set up a central payroll processing and payment operation for state employees.

2-18- Part 5 Travel, Meals, and Lodging –This part establishes rules for the reimbursement of expenses for travel by state employees, including the maximums for per diem.

2-18-Part 11 Employee Incentive Plan- This statute establishes a process for awarding a state employee for coming up with cost saving ideas.

2-18-Part 12 State Employee Protection Act- This statute establishes a job register and other processes for employees whose jobs are eliminated in a reduction in force, or privatization. Montana State Fund is currently exempt from the job register.

2-19 Part 1 Termination of State Agencies- This statute deals with terminating defunct state agencies, and is not used much. Have similar statute in enabling legislation for Montana Mutual.

2-20 Part 1 Montana Electronic Transactions with State Agencies and Local Government Units Act -This statute was adopted in 1999 to allow for electronic transactions with state agencies. The need for this statute was largely superceded in 2001, when the legislature passed the Uniform Electronic Transactions Act, which addresses electronic business transactions in general.

17 Ch. 1 General Administration -This chapter establishes some general provisions concerning state agency finance. Montana Mutual exempted in original bill draft: Section 2 (5).

17 Ch. 2 Accounting -This chapter establishes an accounting system for state agencies. Montana Mutual exempted in original bill draft: Section 2 (5).

17 Ch. 4 Debt Collection -This chapter provides for certain debt collection efforts by the department of revenue on behalf of state agencies. Currently optional for Montana State Fund. Exempted in original bill draft: Section 2 (5).

17 Ch. 6 Part 1 Deposits -Provides for bank deposit of state funds by the State Treasurer. Montana Mutual exempted in original bill draft: Section 2 (5).

17 Ch. 8 Disbursement and Expenditure – includes Warrants in part 3 -This chapter provides for the authorization to make payments from the state treasury, and the mechanical process of issuing warrants for payment. Montana Mutual expects to have its own deposit and payment mechanisms, and is exempted in original bill draft: Section 2 (5).

18 Ch. 1 Public Contracts Generally- Title 18 governs all state agency contracts, including procurement of goods and services. Montana Mutual would be exempt from all provisions of title 18, including the general provisions of chapter 1.

18 Ch. 2 Construction Contracts- This chapter governs construction of buildings and other facilities, providing procedures for bid specifications and letting contracts.

18 Ch. 3 Part 1 *State Building Lease-* With 2/3 vote of legislature, DOA may enter into a lease with purchase option.

18 Ch. 4 Montana Procurement Act- Montana State Fund is currently exempt from the procurement act when acquiring insurance-related services. Exempts all services/not just insurance related for Montana Mutual, original bill draft: Section 21.

18- 4- 226 and 18-6 Part 1 Surplus property -These statutes provide a procedure for the surplussing and disposal of state personal property, not real property.

18 Ch. 7 State Printing - Montana State Fund is currently exempt from using state printing for external marketing or educational materials. Bill Draft: Section 22 exempts all printing.

18 Ch. 8 Procurement of services –This chapter concerns the procurement of certain land surveying, architectural and engineering services.

18 Ch. 11 State-Tribal Cooperative Agreements- Provides for cooperative agreements between the state and tribes for the provision of administrative services.

25-1-402 Governmental entities not required to give security –This provision exempts the state from posting a bond as security in certain civil actions where a bond may be required.

25-1-501 Notice to attorney general- Requires the Attorney General to receive a copy of any lawsuit when a state agency initiates a lawsuit.

25-10-405 Governmental entities not required to prepay fees - Exempts the state from paying court filing fees and other court fees in litigation.