

In its new structure Montana Mutual and/or employees, would remain subject to these statutes:

2-2-Parts 1-3 Code of Ethics- “public employee”- defined as any temporary or permanent employee of the state or an establishment of state government.

2-3-Part 1 Notice and Opportunity to be heard-These statutes provide that the public needs to have an opportunity to be heard and participate in agency actions. (Constitutional, Art. II Section 8)

2-3-Part 2 Open Meetings –Any entity expending public funds- (Constitutional, Art. II Section 9)

2-6-101-108 Public Records-(1) (a) the written acts or records of the acts of the sovereign authority, of official bodies and tribunals, and of public officers, legislative, judicial, and executive, whether of this state, of the United States, of a sister state, or of a foreign country, except records that are constitutionally protected from disclosure; Requires public access to records of public agencies. (Constitutional Art. II Section 9)

2-6-109 Prohibition on distribution or sale of mailing lists - State and local government agencies are prohibited from distributing or selling mailing lists. (The State Fund would be exempted based on the definition of agency contained in this statute in original draft bill, but placed in new draft bill as item state fund remains subject to.)

2-7-103-105 Studies and Reports-Requires the governor to continuously study and evaluate the structure, management and functions of the executive branch.

2-9-Part 1 Liability Exposure- Includes limits on liability and immunity from exemplary and punitive damages. (Under original bill draft- this item not retained, but is an item state fund subject to in new draft bill)

2-9-Parts 2-3 Comprehensive insurance plan for state - Claims– Provides a comprehensive insurance program for state agencies. Almost all types of insurance coverage are provided, including property, casualty, auto, liability, bonds, etc. (Under original bill draft this item not retained, optional under new bill draft option.)

2-17-101 Allocation of space by DOA to state agencies-Special provision in the bill, if office building is not purchased, then lease at fair market value. Bill Draft: Section 2 (4)(b).

2-17-550 – 553 - Governmental Internet Information Privacy Act- These statutes provide for the protection of “personally identifiable information” an agency may acquire through an individual’s use of the internet to access government services or information. The State Fund would still be subject to constitutional requirements to protect the privacy of individuals in the use of such information. (In new draft bill as item state fund subject to.)

2-17-601 -604 *Government Competition with private internet providers*- This section puts limits on the potential for government to compete with private persons in providing internet service to the public. (In new draft bill as item state fund subject to.)

2-18, Part 7 and 8 *Group Insurance and other benefits*- Participation in these sections by name under current law and in Bill Draft- name change only.

2-19-Part 13 *Voluntary Employees Beneficiary Association Act* – (5) "Employer" means a legally constituted department, board, or commission of the state, a county, an incorporated city or town, or any political subdivision of the state, including a school district or a unit of the university system.

17-6 Part 2 *Unified Investment program*-Retained in Draft Bill: Section 12- and is Constitutional.

Title 19 *PERS and Deferred Compensation*-Retained in Draft Bill: Section 5.

Financial Audit by LAD - Retained in Draft Bill: Section 11.

30-18-101 *UETA*- This statute governs electronic transactions, including binding agreements and electronic signatures. Montana Mutual would be covered as a "public corporation."

39-71- 211 *Fraud detection and prevention* - at state fund and Department of Justice- Draft Bill: 2-15-2015, 39-71-206 and 44-2-115 name change only.

39 Chapter 31-*Collective bargaining by employees of a "public employer"*- See Bill Draft: Section 5 (3).