

April 6, 2011

Senator Joe Balyeat, Chair and Committee Members
Senate Business, Labor & Economic Affairs Committee

My name is Jane Lopp of Jane Lopp and Associates LLC, Kalispell, MT. I am a financial planner. For the past 32 years I have sold life and health insurance, annuities and other investment products. I am a Chartered Life Underwriter (CLU), Chartered Financial Consultant (ChFC) and a Life Member of the Million Dollar Round Table. I am also Secretary-Treasurer of the Montana Life and Health Insurance Guaranty Association.

HB 283 as amended is flawed legislation. I find HB 283 as amended hard to understand and can only imagine how confusing it must be for the consumer. If the purpose of HB 283 as amended is to repeal Montana's non-gender insurance laws, it fails and **should not be passed out of this committee**. This bill fails to adequately clarify public policy on non-gender insurance and the unintended consequence will be to adversely impact both the owners and the beneficiaries of life insurance policies and annuity contracts.

With our economy still recovering from the recent crisis, public policy should encourage families and businesses to responsibly plan for their financial futures. HB 283 as amended will have the opposite effect:

1. Most adult Montanans including members of this committee, know that life insurance is what keeps widows and orphans out of the poorhouse but HB 283 as amended appears instead to reduce settlement payouts to these very people life insurance policies are intended to protect.
2. Individual annuities are an important part of retirement planning for many Montanans. For those who do not have a defined benefit pension plan available, annuities may provide their only source of guaranteed retirement income. HB 283 as amended appears to impact adversely both pro-active women who purchase annuities to provide retirement income and men who purchase annuities with the expectation the payout rate for them in retirement will be no less for their wives.

Passage of HB 283 is not in the best interest of those Montanans who purchase life insurance and annuity products from insurance companies nor is it in the best interest of the State of Montana. I urge you to vote no on this flawed Bill.

Sincerely,

Jane Lopp, CLU, ChFC
52 Westview Drive
Kalispell, MT 59901