

Matrix Tally Regarding Montana State Fund Restructuring

Questions	Tutvedt	Facey	Barrett	Arntzen	Whitford	Lynch	Hertz	Berry	MSF
Box 1 (A) Continue to serve as the guaranteed market?		Yes							Yes
B) Continue to be eligible for the federal tax exemption?		Yes							Yes
C) Be statutorily immune from dissolution by State Auditor?		Yes							Yes
D) Be subject by statute to its assets (and liabilities) being diverted to the state in case of dissolution? (If D is No, then option C should be yes. Converse does not necessarily apply.		Yes							No
E) If subject to dissolution (no in option C), should participation be required in the Guaranty Association?		Yes (but Option C was yes, so NA)							NA
F) If immune from dissolution (yes in Option C), should there be an early trigger of risk-based capital requirements to start State Auditor rehabilitation?		Yes							Yes
G) Should there be adverse risk development coverage in addition/in lieu of Guaranty Assoc. participation?		??							discuss further
H) Should there be offsets/benefits to serving as guaranteed market?		No							discuss further

I) a) Should MSF pay zero, limited, full premium tax? b) sole state work comp provider?		a) Full							discuss further
J) Should MSF be treated same as other insurers for punitive damages purposes?		No							discuss further
K) Should MSF be under the fraud/prosecution unit of State Auditor instead of DOJ?		Don't care - maybe 2 bills?							discuss further
L) Should MSF have a calendar, not fiscal budget yr		Yes							Yes
M) Should MSF have tiered rating allowed in statute?		Yes (but does it have to be in statute?)							Yes
N) Should MSF (& all insurers) use a higher experience rating trigger and all have same code classes?		Yes on higher exp rating No re codes							Yes
O) Should there be a revision in Brd of Directors appts?		No							No
P) Should MSF statutes be in Title 33 not Title 39?		What is the difference							No. T39 for enabling laws, T33 link
Q) Should MSF get an automatic certificate of approval?		Yes							Yes

