

NATIONAL CONFERENCE OF INSURANCE LEGISLATORS
ARTICLES OF ORGANIZATION & BYLAWS REVISION COMMITTEE
NEW YORK, NEW YORK
JULY 11, 2008
MINUTES

The National Conference of Insurance Legislators (NCOIL) Articles of Organization & Bylaws Revision Committee met at the Marriott Marquis in New York City on Friday, July 11, 2008, at 8:30 a.m.

Assem. Nancy Calhoun of New York, chair of the Committee, presided.

Other members of the Committee present were:

- Rep. Robert Damron, KY
- Rep. George Keiser, ND
- Sen. Carroll Leavell, NM
- Sen. James Seward, NY
- Rep. Brian Kennedy, RI

Other legislators present were:

- Sen. Joseph Crisco, CT
- Rep. Donald Flanders, NH
- Sen. William J. Larkin, Jr., NY
- Rep. Tony Melio, PA
- Rep. Charles Curtiss, TN
- Rep. Kathleen Keenan, VT

Also in attendance were:

- Susan Nolan, NCOIL Executive Director
- Candace Thorson, NCOIL Deputy Executive Director
- Mike Humphreys, NCOIL Director of State-Federal Relations
- Jordan Estey, NCOIL Director of Legislative Affairs & Education

MINUTES

Upon a motion made and seconded, the Committee voted unanimously to approve the minutes of its February 29, 2008, meeting in Washington, DC.

DEEMING NCOIL MEMBERSHIP

Ms. Nolan and Jule Rousseau, NCOIL pro bono counsel, said the Committee had voted at the Spring Meeting to revise NCOIL Bylaws and deem all states to be NCOIL members. They said the new membership policy distinguishes between jurisdictions that pay dues, called “contributing members,” and those that do not, generally called “members.”

Ms. Nolan said member states would enjoy only some of the privileges afforded contributing members. She said member-state legislators could access the monthly newsletter and certain

documents on the NCOIL Web site, as well as meeting reports, but they would not freely access adopted model laws and resolutions. Mr. Rousseau said that only contributing-member legislators would have voting privileges and could join NCOIL committees.

The Committee reiterated its support for the new policy. Ms. Nolan said that, as per Committee direction at the Spring Meeting, she and Mr. Rousseau had drafted relevant membership language to reflect the will of the Committee. Mr. Rousseau overviewed the suggested changes to Articles of Organization Sections III, regarding membership, and V, regarding the officers and Executive Committee, as well as to Bylaws Section IV, regarding committees.

The Committee discussed specific language in Articles of Organization Section III.B. In particular, legislators focused on an already-existing sentence that defined member (now, defined as contributing member) states that have paid dues within the previous two calendar years. Rep. Keiser suggested adding a provision in which contributing members would return to general membership if they had not paid dues within three years. He said that a three-year term might be more appropriate since some legislatures meet biennially.

Rep. Damron said the system must be flexible, and he moved to delete the Articles language in order to avoid over-defining the issue. Among other things, he said, the sentence could encourage states to avoid dues-paying for two years and then resume payments. Sen. Seward seconded the motion. The Committee voted 3 to 2 to delete the sentence. Those in favor were Rep. Damron, Assem. Calhoun, and Sen. Seward. Those opposed were Rep. Keiser and Sen. Leavell.

Upon a motion made by Rep. Keiser and seconded by Rep. Damron, the Committee voted unanimously to adopt the proposed deemer amendments.

Mr. Rousseau suggested, and the Committee agreed, that NCOIL send a letter to new member states notifying them of their status and giving them a chance to opt out of NCOIL. Ms. Nolan said staff would distribute such a letter following the Summer Meeting.

In order to avoid confusion during Committee meetings, Rep. Keenan said, NCOIL should take only roll-call votes to ensure that just contributing members in good standing participate. The Committee agreed.

OTHER BUSINESS

Assem. Calhoun suggested revising the bylaws so that NCOIL would commit to holding its conferences, as much as possible, in NCOIL contributing-member states. Sen. Leavell offered support for the idea. Rep. Keiser and others strongly disagreed, noting the benefits associated with having meetings in non-dues paying jurisdictions. Assem. Calhoun withdrew her idea.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:15 a.m.

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