

NATIONAL COUNCIL OF INSURANCE LEGISLATORS
EXECUTIVE COMMITTEE
OKLAHOMA CITY, OK
DECEMBER 8, 2018

The National Council of Insurance Legislators (NCOIL) Business Planning and Executive Committee met at the Renaissance Oklahoma City, on Saturday, December 8 at 10:20 a.m.

NCOIL President, Sen. Jason Rapert, AR, Chair of the Committee, presided.

MEMBERS OF THE COMMITTEE PRESENT:

Sen. Dan "Blade" Morrish, Vice President, LA	Rep. Deborah Ferguson, AR
Rep. Matt Lehman, Treasurer, IN	Rep. Martin Carbaugh, IN
Asm. Ken Cooley, Secretary, CA	Sen. Jerry Klein, ND
Rep. Steve Riggs, Immediate Past President, KY	Rep. Bart Rowland, KY
Sen. Travis Holdman, Immediate Past President, IN	Asm. Kevin Cahill, NY
Rep. Sam Kito, AK	Asm. Andrew Garbarino, NY
	Rep. Lewis Moore, OK
	Rep. Tom Oliverson, TX

OTHER LEGISLATORS PRESENT:

Sen. Gary Dahm, MN	Asw. Pamela Hunter, NY
Sen. Paul Utke, MN	

ALSO PRESENT:

Commissioner Tom Considine, NCOIL CEO
Paul Penna, Executive Director, NCOIL Support Services
Will Melofchik, Legislative Director, NCOIL Support Services

Sen. Rapert called the meeting to order and asked for a motion to waive the quorum which was made, seconded and carried on a voice vote.

MINUTES

A motion was made by Sen. Morrish and seconded by Sen. Holdman to approve the minutes of the July 15th Executive Committee meeting minutes.

FUTURE LOCATIONS

Commissioner Considine discussed having the 2021 spring meeting in either Denver or District of Columbia from March 11-14 or March 18-21 at the Denver Westin or Metro Center DC.

Sen. Rapert stated that it's been a long time since NCOIL has met in DC and suggested going there.

Sen. Holdman stated that earlier in March is better since spring break is a bit later that year.

Rep. Lehman stated NCOIL has not been to DC for a meeting since 2013 and thought that DC is the better choice. Commissioner Considine stated it's the will consensus of the body for March 11 – 14 in DC at the Marriott Metro Center.

ADMINISTRATION

Commissioner Considine noted that there were 271 registrants for the annual meeting, 40, legislators and participants from 24 states. 6 legislators participated via ILF scholarship. 4 Commissioners and 1 Commissioner-elect, and 9 insurance departments were present.

Paul Penna gave the 2018 unaudited financial report through September 30, 2018 that showed \$826,803.68 in revenue and \$658,419.85 in expenses for a net operating revenue of \$168,383.83. A motion to accept financials was made by Asm. Garbarino and seconded by Rep. Kito. It passed on voice vote

Commissioner Considine asked that the committee continue to use Collins and Co as auditor. Rep. Riggs made a motion that was seconded by Rep. Lehman and it passed on a voice vote.

CONSENT CALENDAR

Sen. Rapert asked if any member had an item to take off the consent calendar. No member did so a motion was made by Sen. Klein to accept the consent calendar and seconded by Asm. Garbarino. The motion carried on a voice vote.

CONSIDERATION OF MODEL ACT TO SUPPORT STATE REGULATION OF INSURANCE THROUGH MORE INFORMED POLICYMAKING

Asm. Cooley asked for consideration of his model and stated this is the 4th time it's been discussed. It instructs insurance departments to brief the legislature on –

- the state of law in insurance and the accreditation process.
- Issues of documentation by the department where it confers delegation to act.
- regulatory actions based on delegation of authority.

Asm. Cooley noted that the NAIC is not a government body and this model puts the spotlight where legislators gave the NAIC authority and bring back to legislature for authority.

It asks for more informed legislature and training periodically. Items need to be publicly available on the internet. Believe there is consensus to do this now.

Asm. Cooley made a motion to adopt and Asm. Garbarino seconded. Passed on voice vote

Rep Riggs stated that this is groundbreaking idea it will help send people to NCOIL meetings to be more informed. It's beneficial to have more informed legislators.

Rapert said staff will disseminate to states, department and interested parties.

OTHER SESSIONS

Sen. Rapert noted that OK Gov. Mary Fallin and former Gov. Frank Keating were both informative and interesting and noted the other sessions:

The Institutes Griffith Insurance Education Foundation luncheon featured a primer on catastrophe modeling by Dr. Brenda Wells for public policy makers.

The three General Sessions:

- Examining the Role of ERISA in the State Based System of Insurance Regulation: Can Meaningful State Reforms be Achieved in an ERISA-Dominated Marketplace?
- Reverse Preemption – Can States Preempt Federal Insurance Laws and Regulations through use of the McCarran-Ferguson Act?
- Understanding InsurTech and FinTech – What Legislators and Regulators Can do to Promote Innovation in the Insurance and Financial Services Industries.

NOMINATING COMMITTEE REPORT

Rep Riggs gave the Nominating Committee report and stated that NY Asm. Kevin Cahill has been selected to serve as Secretary. All other officers moved up a position. Motion to accept was made by Rep. Riggs and seconded by Rep. Lehman. Motion carried on voice vote

OTHER BUSINESS

Sen. Rapert noted that per the bylaws, MO Sen. Paul Wieland, as chair of the insurance committee in his state is elevated to the Executive Committee as he has attended his second NCOIL meeting.

Asm. Garbarino made a motion to elect Asw. Pam Hunter from NY to the Executive Committee. Asm. Cahill seconded. Motion carried on a voice vote.

Commissioner Considine asked for a moment of personal privilege to personally thank Sen. Rapert you for all he's done this year as NCOIL President. He noted that he was a pleasure to work with over the last year and was an "Energizer Bunny" with endless enthusiasm and energy as an ambassador for NCOIL.

Sen. Rapert noted that it's been quite an honor. Getting involved with NCOIL after his first election was one of the best decisions he made. He noted pride in the growth in states and revenue. He thanked Considine for the leadership that he's shown and noted that as many people are depending on him. Sen. Rapert continued that enjoyed serving NCOIL very much and has come to think a great deal of Considine and noted that Considine operates with dignity under pressure. People feel welcome at NCOIL. He concluded with a "Thanks to all", specifically noting the staff.

Rapert recognized Sen Morrish as the next NCOIL president. He noted that Morrish stepped in when he was needed even though it was not in his plan to do so. He introduced Morrish who presented Sen. Rapert with a ceremonial gavel on behalf of NCOIL to thank him for his term as President and his years of service.

ADJOURNMENT

There being no further business, the committee adjourned at 11 am.