

NATIONAL CONFERENCE OF INSURANCE LEGISLATORS
BUSINESS PLANNING AND ARTICLES OF ORGANIZATION &
BYLAWS REVISION COMMITTEES
NEWPORT, RI
JULY 15, 2011
MINUTES

The National Conference of Insurance Legislators (NCOIL) Business Planning and Articles of Organization & Bylaws Revision Committees met at the Marriott Newport in Newport, RI, on Thursday, July 15, 2011, at 8:00 a.m.

Rep. Brian Kennedy of Rhode Island, chair of the Business Planning Committee, and Rep. Ron Crimm of Kentucky and Sen. Jerry Klein of North Dakota—co-chairs of the Articles of Organization & Bylaws Revision Committee—presided.

Other members of the Committees present were:

Rep. Greg Wren, AL	Sen. Carroll Leavell, NM
Sen. Vi Simpson, IN	Rep. Charles Curtiss, TN
Rep. Robert Damron, KY	Rep. Kathleen Keenan, VT

Other legislators present were:

Rep. Don Flanders, NH	Sen. Dean Kirby, MS
Sen. Bob Dearing, MS	Rep. Bill Botzow, 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

BUSINESS PLANNING COMMITTEE
MINUTES

After a motion made and seconded, the Committee voted unanimously to approve the minutes of its March 5, 2011, meeting in Washington, DC.

LEGAL CONTINUING EDUCATION CREDITS

Ms. Nolan said that NCOIL provides insurance-agent continuing education (CE) credits for legislators who request them. She reported that there was interest in providing continuing legal education (CLE) credits as well and that NCOIL staff was researching the possibility.

Committee members, after agreeing that CLE credits could be an important benefit for state lawmakers, discussed various continuing education requirements in the states. The Committee also addressed how NCOIL might implement a CLE program, including possible fees for submitting state CLE documentation.

Upon a motion made by Sen. Leavell and seconded by Rep. Damron, the Committee voted unanimously that NCOIL staff should explore state CLE requirements, as a precursor to establishing an NCOIL CLE program.

FUTURE MEETING LOCATIONS

Ms. Nolan reported that she had secured the following:

2011 Annual Meeting	Santa Fe, New Mexico
2012 Spring Meeting	Biloxi, Mississippi (<i>tentative</i>)
2012 Summer Meeting	Burlington, Vermont
2012 Annual Meeting	Point Clear, Alabama
2013 Spring Meeting	Washington, DC
2013 Summer Meeting	Philadelphia, Pennsylvania
2013 Annual Meeting	Nashville, Tennessee (<i>tentative</i>)
2014 Summer Meeting	Boston, Massachusetts

Regarding the 2012 Spring Meeting, Ms. Nolan said the contract for the Beau Rivage Hotel included cancellation language that was different from language in other hotel contracts. She said that Jule Rousseau, NCOIL pro bono counsel, had expressed concern that the Beau Rivage language would give the hotel broad authority to cancel an NCOIL meeting. She reported that the language was a “dealbreaker” for the hotel and that it had exercised such language only following Hurricane Katrina.

Sen. Kirby said, among other things, that he would work with the Beau Rivage to address concerns. Ms. Nolan expressed confidence that his assistance, in addition to efforts by Mr. Rousseau to amend the cancellation language, would resolve the issue.

During Committee discussion that followed, legislators noted that that the Beau Rivage contract included an act of god clause, separate from the cancellation language, that would cover hurricane-related meeting changes. Lawmakers noted that, although the contract would require the Beau Rivage to reimburse for certain costs associated with rescheduling/relocating an NCOIL meeting, the reimbursement would not cover all expenses, including legislator airfare. Legislators also said that the contract could allow the hotel to cancel an NCOIL meeting for economic reasons.

Upon a motion made by Rep. Keiser and seconded by Rep. Damron, the Committee voted unanimously to give NCOIL staff the authority to negotiate with the Beau Rivage to either eliminate the cancellation language or limit it to non-economic circumstances. The Committee determined that NCOIL staff should reach out to the Executive Committee if negotiations proved unsuccessful and that the Executive Committee would make a final decision on how to proceed.

Legislators then discussed possible 2014 Spring Meeting locations, including possible sites in the Southeast.

ARTICLES OF ORGANIZATION & BYLAWS REVISION COMMITTEE PROPOSED AMENDMENTS

Rep. Crimm said there were several proposed amendments for Committee consideration. Following discussion, legislators determined to:

- Amend Articles Section V.B, regarding NCOIL Executive Committee membership, to add the following language:

A state committee chair from a Contributing Member must attend the Executive Committee meeting at his or her first NCOIL conference to be recognized as a new Executive Committee member.

- Add the following new subsection to Bylaws Section IV.B, regarding standing NCOIL committees, in order to recognize the International Insurance Issues Committee:
 7. An International Insurance Issues Committee, consisting of a minimum of six (6) members with responsibility for representing NCOIL in matters respecting international issues related to insurance.
- Add the following subsection to Bylaws Section IV to address when a Contributing-State legislator can vote on committees that he or she has joined:
 - J. Legislators from Contributing-Member states who are not chairs of state committees responsible for insurance legislation shall be eligible to vote on a standing committee at a Spring Meeting if the legislators have joined the committee at least 60 days prior. Legislators who join fewer than 60 days prior shall wait one meeting before being eligible.

The Committee then voted unanimously to defer consideration of the following proposed amendment, which would add a provision to Bylaws Section IV, to allow for further review:

- I. A final vote may not be conducted on a model act until the committee has reviewed, deliberated, and received testimony on each section of the proposal during one of three meetings during the year.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:45 a.m.