

NATIONAL COUNCIL OF INSURANCE LEGISLATORS
EXECUTIVE COMMITTEE
NCOIL ANNUAL MEETING – AUSTIN, TX
DECEMBER 13, 2019
DRAFT MINUTES

The National Council of Insurance Legislators (NCOIL) Business Planning and Executive Committee met at the JW Marriott on Friday, December 13, 2019 at 12:14 p.m.

NCOIL President, Sen. Dan “Blade” Morrish, LA, Chair of the Committee presided.

MEMBERS OF THE COMMITTEE PRESENT:

Rep. Matt Lehman, IN, Vice President
Asm. Ken Cooley, CA, Treasury
Asm. Kevin Cahill, NY, Secretary
Rep. Deborah Ferguson, AR
Sen. David Livingston, AZ
Rep. Joe Fischer, KY
Rep. Martin Carbaugh, IN

Rep. Edmond Jordan, LA
Rep. George Keiser, ND
Sen. Jerry Klein, ND
Sen. Neil Breslin, NY
Asm. Andrew Garbarino, NY
Asw. Pam Hunter, NY
Rep. Tom Oliverson, TX

OTHER LEGISLATORS PRESENT:

CT Sen. Matt Lesser
CO Rep. Matt Gray
CO Sen. Jack Tate
IN Rep. Andy Zay

MN Sen. Gary Dahms
MN Sen. Paul Utke
MT Rep. Bruce Grubbs

ALSO PRESENT:

Commissioner Tom Considine, NCOIL CEO
Paul Penna, Executive Director, NCOIL Support Services
Will Melofchik, General Counsel, NCOIL
Cara Zimmermann, Assistant Director of Administration, NCOIL Support Services

QUORUM

A motion was made by Sen. Klein and seconded by Rep. Keiser to waive the quorum that carried on a voice vote.

MINUTES

A motion was made by Rep. Keiser and seconded by Sen. Dahms to approve the minutes of the July 13th, 2019 Committee Meeting minutes.

FUTURE LOCATIONS

Commissioner Considine discussed options for both Scottsdale and Seattle for the 2021 Annual Meeting from November 17th – 20th. Still no action from Washington to join as a contributing state. He suggested the Kierland Westin in Scottsdale, which is 15 minutes from downtown, but no location downtown can accommodate NCOIL’s banquet needs.

Sen. Morrish directed staff to pursue the Scottsdale location.

ADMINISTRATION

Commissioner Considine noted that there were 353 registrants for the Annual Meeting, 57 legislators and participants from 33 states. 16 first time legislators, 10 legislators participated via full and 3 partial ILF scholarships. 4 Commissioners participated, and 9 insurance departments were present.

Paul Penna gave the 2019 third quarter unaudited financial report through September 30, 2019 showing revenue of \$906,136.47 and expenses of \$737,990.19 for an excess of \$168,146.28.

Rep. Keiser made a motion to accept the administration report that was seconded by Asm. Cooley. It carried on a voice vote.

RESOLUTION HONORING SEN. LARKIN

Sen. Morrish acknowledged Asm. Cahill to discuss the Resolution honoring Sen. Larkin's life. Cahill said Larkin was a character beyond words. They shared portions of their districts and Larkin would inject you into his speeches and stories. After returning from an NCOIL meeting, Larkin would tell other NY legislators how the New York delegation ran the whole meeting. Cahill noted that Larkin's contribution to New York and the country, including his military service, was commendable and reminded everyone that near the end of his career he worked to renovate the National Purple Heart Hall of Fame into a renowned center because of his work. Cahill concluded that while they did not agree on much politically, he was a great politician and he holds many fond and happy memories of him. He moved the resolution and acknowledged his New York colleague, Asm. Garbarino.

Asm. Garbarino noted that he served a few years with Sen. Larkin and he was a great storyteller that everyone wanted to sit next to at events. It was really an honor to serve with him. Assemblyman Garbarino seconded the resolution which passed on a voice vote. A copy of the resolution will be forward to Sen. Larkin's family.

CONSENT CALENDAR

Sen. Morrish asked if any member had an item to take off the consent calendar. Since no member did, Asm. Cooley made a motion to accept the consent calendar and Rep. Carbaugh seconded the consent calendar. The motion carried on a voice vote.

OTHER SESSIONS

Sen. Morrish discussed the general sessions including the Griffith Foundation and Michael McCord for the Legislator Luncheon "A Primer on Microinsurance" and the corresponding general session – Microinsurance Explosion: Lessons from Abroad and their Impact on the US Market.

The Start Up CEO was a fascinating look at the process of research and development of drug pricing in this country.

Sen. Morrish thanked TX Commissioner Kent Sullivan for speaking at the Welcome Breakfast and Tom Workman as the keynote luncheon speaker.

There were 3 interesting and timely General Sessions –

- 1) The Gig Gap – Does Insurance Come With That?;
- 2) Insuring the Previously Unimaginable: A Discussion on the Active Shooter Insurance Coverage Landscape; and
- 3) The US Healthcare System in Flux: Judicial Repeal of the ACA? Medicare for Whom?

NOMINATING COMMITTEE REPORT

Sen. Morrish gave the Nominating Committee report and stated that the existing 3 officers will move up with IN Rep. Lehman serving as President, CA Asm. Cooley as Vice President, NY Asm. Kevin Cahill as Treasurer and the addition of KY Rep. Joe Fischer as Secretary. Rep. Carbaugh made a motion to accept that was seconded by Asm. Garbarino. The motion carried on a voice vote.

OTHER BUSINESS

Cmsr. Considine asked the committee to continue utilizing the services of Collins & Co for 2019. They have done so for several years. They are a fine a professional group but made improvements to practices and will continue at the same rate. A motion was made by Rep. Smith and seconded by Asm. Cahill. The motion carried on a voice vote.

Sen. Morrish noted that pursuant to NCOIL bylaws, as chair of the relevant committee in their states that attended the NCOIL meeting and Executive Committee, CT Sen. Matt Lesser and MN Sen. Gary Dahms are automatically added to the Executive Committee.

Asm. Garbarino noted that MN Sen. Utke has been a diligent participant for a few years at NCOIL and nominated him as a member of the Executive Committee. Rep. Lehman seconded the motion which carried on a voice vote.

Sen. Morrish called on John Ashenfelter to discuss IEC topics. The IEC suggested two topics for discussion at a future NCOIL meeting:

Value of a Competitive and Profitable Insurance Industry to Every State's Economy. This is suggested as a Griffith Foundation session for legislators and regulators.

What Can States Do To Accelerate Natural Disaster Recovery? Consider public policy proposals relating to:

- creation of Disaster Recovery Zones to facilitate shared purchasing;
- address specific regulatory requirements that slow down insurers' efforts to adjust and pay claims quickly and efficiently

Sen. Morrish thanked Rep. Oliverson, his staff and the Texas Department of Insurance for their help in making this meeting successful.

Rep. Keiser asked to be recognized and stated that NCOIL should examine the relationship between property & casualty insurance on homeowners and appraisers being employees or 100% provider and there is a conflict of interest.

Constituents in his state are raising it as an issue, and though he is not sure if it an issue in other states, he would appreciate this discussion at a future NCOIL meeting about the value of an independent appraiser because that relationship has become really close and should be examined. Sen. Morrish thanked him for the suggestion and asked staff to take it under advisement.

Sen. Morrish recognized Rep. Lehman as new NCOIL President, who honored Sen. Morrish for his year as President.

Lehman was recognized to make a few comments – that when he came to his first NCOIL meeting in Boston in 2010 and has attended every meeting since then, Sen. Morrish and Rep. Keiser were among the first legislators to make him feel welcome. Under his leadership with the new dues structure, NCOIL has become a healthier organization with increased participation among parties and chambers. NCOIL will continue to work on timely issues and act on them quickly. Health care insurance will continue to be a huge issue, along with technology and flood insurance. “Working with our partners, in this room, NAIC, NCSL and in this world we live in.”

Rep. Lehman noted that the experiment at this meeting to run consecutively with the NAIC was useful but maybe in a different format in the future. NCOIL needs to move meetings back to November from December. December is too late in that process for states that have pre-file deadlines. He also thanked the NCOIL staff for their help in transitioning him to this role as President, including a trip to the NCOIL office New Jersey that he took with no photo ID, which, he noted, is a story for another day.

Lastly, he stated to Sen. Morrish that it has truly been an honor to know and serve with him. He noted that all legislatures have “Blade Morrish’s” in their chambers that participate for the right reasons. Rep. Lehman noted that out of respect for Blade he was not wearing a tie and offered a symbol of their gratitude with a personalized NCOIL seal (not a lapel pin).

Sen. Morrish thanked the staff by name who worked tirelessly to make his role as president easy on him. He stated that the organization is in much better hands with their expertise. He stated to the legislators who have been attending to please continue. This organization is valuable. He stated that he has been honored to serve and “will miss you all tremendously”.

Rep. Lehman acknowledged the incoming officers in their new roles and said there is a great team coming. Noted that there was no other business, he asked for a motion to adjourn.

ADJOURNMENT

There being no further business, Sen. Morrish made a motion to adjourn that was seconded by Re. Jordan. The committee adjourned at 12:39 p.m.