

NATIONAL CONFERENCE OF INSURANCE LEGISLATORS
ARTICLES OF ORGANIZATION & BYLAWS REVISION COMMITTEE
LAS VEGAS, NEVADA
NOVEMBER 16, 2007
DRAFT MINUTES

The National Conference of Insurance Legislators (NCOIL) Articles of Organization & Bylaws Revision Committee met at the Rio All-Suite Hotel & Casino in Las Vegas, Nevada, on Friday, November 16, 2007, at 8:00 a.m.

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

Other members of the Committee present were:

Rep. George Keiser, ND
Rep. Robert Godshall, PA

Other legislators present were:

Sen. Joseph Crisco, CT	Sen. Harvey Tallackson, ND
Rep. Robert Herkes, HI	Rep. Donald Flanders, NH
Rep. Robert Damron, KY	Sen. Carroll Leavell, NM
Rep. Dennis Keene, KY	Sen. James Seward, NY
Sen. Ruth Teichman, KS	Rep. Brian Kennedy, RI

Also in attendance were:

Susan Nolan, Nolan Associates, 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

The Committee voted unanimously to approve the minutes of its July 20, 2007, meeting in Seattle, Washington.

PARTICIPATION OF NON-STATE JURISDICTIONS

Assem. Calhoun suggested that the Committee discuss treatment of non-member jurisdictions that are not officially states (e.g., the District of Columbia and the Commonwealth of Puerto Rico). Rep. Damron said Puerto Rico did not warrant special treatment since its governing system is similar to that of other states. He and other Committee members agreed, however, that the District of Columbia is unique and could not be expected to pay full NCOIL membership dues. Legislators and Ms. Nolan discussed whether bylaws changes were necessary to recognize the District's special status or whether a resolution should compliment the bylaws and speak specifically to details of District membership.

Following discussion, the Committee voted to recommend to the Executive Committee that NCOIL consider the District of Columbia to be an NCOIL member state, with one voting member on the Executive Committee, if it paid annual dues of \$2,500. The recommendation, legislators said, would be in lieu of a resolution on the issue.

PARTICIPATING VERSUS NON-PARTICIPATING STATES

Rep. Damron proposed that NCOIL deem all states to be NCOIL jurisdictions, thereby replacing its “member/non-member” system with a “participating/non-participating” approach. He said participating states would pay dues and could vote. Rep. Damron related his suggested new policy to how certain other legislative organizations operate.

The Committee, following discussion regarding dues-paying and voting rights, expressed support for Rep. Damron’s idea. Legislators addressed items including, among others, consequences associated with one chamber in a state paying dues and the other not. Ms. Nolan suggested, and the Committee agreed, that she speak with pro bono counsel regarding the ramifications of a deeming system, including that of a state automatically being considered an NCOIL member, as well as NCOIL’s ability to consider the system as a 501(c)(4) organization.

Legislators discussed guidelines for a new “participating/non-participating” system, including how to deal with states that had been participating but no longer paid their dues. The Committee determined the following:

- in cases where a state was participating and stopped, NCOIL would:
 - notify the state after six (6) months that it was delinquent and that, if the state didn’t resume its dues-paying, it would forfeit privileges associated with active membership
 - notify the state after one (1) year that, regrettably, its legislators could not vote as committee members or chair committees, and would need to begin paying higher, “non-participating” state registration fees, until the jurisdiction submitted its dues
- if one house in a state paid half the state’s dues, that house would have membership and voting rights, and legislators from that state would determine who among them should participate

The Committee agreed that NCOIL would work with legislators who attend NCOIL and with their leadership prior to a state’s one-year cut-off threshold. Members also acknowledged a need to make minor changes to the NCOIL meeting registration form in response to such a new system.

The Committee determined to resume discussion of the issue at the 2008 Spring Meeting.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:30 a.m.

