

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

H

1

HOUSE JOINT RESOLUTION 1296

Sponsors: Representatives Beard; Barbee, Brawley, N.J. Crawford, DeVane, Fitch, Hasty, Holmes, Sam Hunt, Hurley, Jones, Kerr, Lilley, Lineberry, Miller, Morgan, Oldham, Redwine, Robinson, and Warner.

Referred to: Rules, Appointments and Calendar.

May 20, 1991

1 A JOINT RESOLUTION FAVORING CONTINUANCE OF THE LIMITED
2 ANTITRUST EXEMPTION FOR THE BUSINESS OF INSURANCE AS
3 PRESENTLY PROVIDED IN THE MCCARRAN-FERGUSON ACT OF 1945.

4 Whereas, Congress and the President enacted the McCarran-Ferguson Act of
5 1945 to assure the continuance of strong insurance markets to serve consumers and
6 business and to encourage economic growth; and

7 Whereas, a fundamental provision of that Act is the limited antitrust
8 exemption afforded the business of insurance; and

9 Whereas, that limited exemption has allowed for strong state regulation of
10 insurance premium rates through prior approval or price competition; and

11 Whereas, that limited exemption has allowed state legislatures to establish
12 Fair Access to Insurance Requirements (FAIR) plans which have made essential fire
13 and other insurances available to inner city residents and businesses; and

14 Whereas, that limited exemption has allowed for the establishment of Market
15 Assistance Programs (MAPs) which have helped Main Street businesses and municipal
16 governments obtain essential liability insurance, especially during the insurance crisis of
17 1985-86; and

18 Whereas, the limited exemption has allowed for the cost-efficient sharing of
19 data, thereby helping new and smaller businesses to compete for customers with
20 established and larger insurers and, thereby, encouraging economic growth and
21 employment opportunities as well as increased marketplace competition benefitting
22 consumers; and

1 Whereas, other organizations of state legislators including the National
2 Conference of State Legislators (NCSL), the Council of State Governments (CSG), the
3 American Legislative Exchange Council (ALEC), the National Conference of Insurance
4 Legislators (NCOIL) and the National Black Caucus of State Legislators (NBCSL) have
5 each adopted similar resolutions;

6 Now, therefore, be it resolved by the House of Representatives, the Senate concurring:

7 Section 1. The North Carolina General Assembly favors continuance of the
8 limited antitrust exemption for the business of insurance as presently provided in the
9 McCarran-Ferguson Act of 1945 and opposes H.R. 9/S. 430.

10 Sec. 2. The Secretary of State shall send certified copies of this resolution to
11 each member of the North Carolina Congressional Delegation, to the Clerk of the
12 United States House of Representatives, and to the Secretary of the United States
13 Senate.

14 Sec. 3. This resolution is effective upon ratification.