

**MINUTES OF THE BOARD OF DIRECTORS MEETINGS
OF THE MARITIME LAW ASSOCIATION OF THE UNITED STATES**

**Held at the
Columbia Towers Club, Seattle, Washington
on
Friday, August 21, 1998**

The meeting was called to order by President Howard M. McCormack at 9:00 a.m. In addition to President McCormack, the following officers were present:

William R. Dorsey, III, First Vice President
Raymond P. Hayden, Second Vice President
Lizabeth L. Burrell, Secretary
Patrick J. Bonner, Treasurer
Winston Edward Rice, Membership Secretary
James F. Moseley, Immediate Past President

The following Board members were present:

James W. Bartlett, III
Denise S. Blocker
Lawrence J. Bowles
Bruce A. King
Jean A. Knudsen
George J. Koelzer

Alfred J. Kuffler
Marion E. McDaniel, Jr.
Gordon D. Schreck
James T. Shirley, Jr.
Thomas J. Wagner

At the invitation of President McCormack, Barry Oland, President of the Canadian Maritime Law Association, Michael Bird, a Director of the Canadian Maritime Law Association, Paul N. Daigle of Seattle, Douglas A. Jacobsen of Blaine, Ann G. Miller of San Francisco, Chair of the Committee on Cruise Lines and Passenger Ships, Kenneth E. Roberts of Portland, Jerome C. Scowcroft of Seattle, Harvey I. Wittenberg of San Francisco, Chair of the Committee on Alternative Dispute Resolution, and Robert J. Zapf of Los Angeles, Chair of the Committee on Practice and Procedure, were also present at the meeting.

President McCormack thanked Mr. Scowcroft and other members of the Seattle bar for their support and outstanding efforts in making arrangements for this meeting. Mr. Scowcroft reported on the program for the meeting.

President McCormack extended the Board's welcome to our neighbors from the North, Barry Oland, President of the Canadian Maritime Law Association and Michael Bird, a Director of the Canadian Maritime Law Association, and noted that we would also be joined at dinner by Peter Bernard, Vice President (West) of the Canadian Maritime Law Association.

SECRETARY'S REPORT

Secretary Lizabeth L. Burrell of New York reported that the Proceedings of the Spring 1998 meeting had been sent to the printers and should be distributed to the membership shortly. The minutes of the March 6 and April 30, 1998 Board Meetings, as approved and adopted by the Board, will be included in the Spring 1998 Proceedings. She noted that the Committees on Maritime Arbitration, Practice and Procedure and Uniformity of U.S. Maritime Law had produced particularly valuable reports. A letter drawing special attention to these reports will accompany the Proceedings.

The Secretary also confirmed that arrangements have been made with the Association of the Bar of the City of New York for the Association's general meetings on November 6, 1998 and May 7, 1999, and for the Board meetings in New York.

Upon motion duly made and seconded, the minutes of the April 30, 1998 meeting of the Board of Directors and the Secretary's report were

unanimously approved and accepted. The minutes of the April 30, 1998 Board meeting will be published in the Proceedings of the Spring 1998 General Meeting.

TREASURER'S REPORT

Treasurer Patrick J. Bonner of New York presented the Treasurer's Report for the three months ending on April 30, 1998 and reported on the cash on hand and investments as of July 31, 1998, both of which reflected the Association's sound financial condition. A comparison of our cash positions over the past two years showed a slight decrease in cash on hand, which resulted primarily from the Association's expenditures in connection with the CMI's Centenary meeting in June 1997 in Antwerp and prepayments for events associated with the Association's Centennial celebration in May 1999. Dues collection is proceeding well.

Upon motion duly made and seconded, the Treasurer's report was unanimously approved and accepted.

MEMBERSHIP SECRETARY'S REPORT

Membership Secretary Winston Edward Rice of New Orleans presented twenty-two applicants for Associate Lawyer membership. Upon motion duly made and seconded, the candidates for Associate Lawyer membership were unanimously elected.

Membership Secretary Rice also reported, with regret, the death of the following members:

Richard G. Ashworth of New York	Norman J. Cowie of Pittsburgh
Gerard J. Asmus of New York	Honorable David W. Dyer of Coral Gables
Bruno J. Augenti of New York	John P. Flanagan of Newark
Past President J. Edwin Carey of New York	Leonard C. Jaques of Detroit

As of August 20, 1998, the total membership of the Association was 3,557 members. As of August 21, 1998, after the changes in membership approved by the Board at its meeting, the total membership was 3,579.

Membership Secretary Rice reported on the progress of the new directory, the efforts to update the database from an old DOS-based program to a new Windows-based application and to create a website for the Association. Mr. Rice also noted that he was making an effort to determine whether arrangements could be made to enable members who attend the CLE sessions following General Meetings to obtain immediate CLE credit for their attendance.

Upon motion duly made and seconded, the Membership Secretary's Report was unanimously approved and accepted.

The list of all the successful candidates for membership and the Membership Secretary's written report are appended to the original of these minutes.

PRESIDENT'S REPORT

President McCormack and First Vice President William R. Dorsey, III, visited the Coast Guard on July 28, 1998 to maintain the close cooperation between our organizations. Lieutenant William Rospars arranged a meeting with Rear Admiral John E. Shkor, who has replaced Rear Admiral Paul M. Blayney as Chief Counsel, Captain Malcolm J. Williams, Jr., Chief of the Office of Maritime and International Law, and Admiral Shkor's assistant, a civilian attorney.

President McCormack and First Vice President Dorsey also met with Rear Admiral North, who is the head of the Coast Guard's Marine Safety Office. The IMO has a Marine Safety Committee, and Admiral North will be sending delegates from his office to IMO meetings dealing with marine safety issues. President McCormack and First Vice President Dorsey explained the workings of the Association, its cooperation with the Coast Guard and the various Association committees that might be of assistance in the work of the Coast Guard.

President McCormack and First Vice President Dorsey then met with member Dennis Bryant, Captain USCG (Ret.), who had been substantially involved in the drafting of OPA and was able to provide the Association with insight in governmental activities.

President McCormack and First Vice President Dorsey were also introduced by member Larry Kiern, Captain USCG (Ret.), to the personnel in the Congressional and Government Affairs Office of the Coast Guard, in which Mr. Kiern had previously served while on active duty.

President McCormack noted that New York University School of Law will present the fourth Biannual Healy Lecture on Thursday, November 5, 1998 and urged senior members of the Association to encourage younger attorneys to attend. The Right Honorable Lord Michael Mustill, Retired, Law Lord of the House of Lords, will deliver the lecture.

President McCormack also reported on his attendance at the Average Adjusters Association meeting in London in May 1998, the Lloyd's Brokers Claims Agents lunch in London in May 1998, the Canadian Average Adjusters Association's meeting in Montreal in June 1998 and the Canadian Maritime Law Association's general meeting and Executive Council meeting in Montreal in June 1998. Immediate Past President James F. Moseley distributed copies of the Reports submitted at the CMLA's meeting, and thanked CMLA President Barry Oland and his colleagues for their kindness in invit-

ing President McCormack and Immediate Past President Moseley to attend. President McCormack also praised the high degree of cooperation and interchange between our Associations.

COMMITTEE AND STUDY GROUP REPORTS

Alternative Dispute Resolution

The Board heard a report from Harvey I. Wittenberg of San Francisco, Chair of the Committee on Alternative Dispute Resolution, which was formed several years ago in recognition of the increasing role of ADR. The Committee has developed and unanimously approved a set of Rules for Mediation to provide procedural guidelines for mediations, which Mr. Wittenberg presented to the Board for its approval. The Committee also asked the Board to approve the publication of a directory of mediators composed of Association members.

With respect to the proposed Rules for Mediations, Board members pointed out that there were still a few ambiguities and some controversy about the provision for mandatory attendance of a party representative. Accordingly, it was resolved that before the Fall 1998 meeting, Board members would submit their comments to the Committee. The Committee will review the Board's comments and proposed Rules, particularly in connection with state laws regarding mediation, with a view towards the possibility of submitting the proposed Rules to Association for action in November 1998.

On the proposal for a directory of mediators, the Board raised questions about verifying the qualifications of those who seek to be listed as well as the possibility that a listing may be taken by readers as an endorsement of the listees' qualifications to serve as mediators. In view of the Association's experience with the membership directory, the time and expense of publishing and updating a directory of mediators was expected to be very substantial. Finally, because of the relatively small size of the maritime bar, it was thought that members in search of a mediator would already be familiar with other members who are experienced in mediation. Accordingly, it was the sense of the Board that a directory of mediators was not feasible at this time.

Navigation, Coast Guard and Government Regulations

On May 14, 1998, Board member Alfred J. Kuffler of Philadelphia and member Thomas M. Russo of New York attended hearings of the Subcommittees on Coast Guard and Maritime Transportation of the U.S. House of Representatives' Committee on Transportation and Infrastructure. The subject matter was the Coast Guard Policies and Procedures for the Criminal Enforcement of Environmental Laws. Mr. Kuffler and Mr. Russo provided a

comprehensive written report to the Board on the hearings. Several industry representatives expressed the view that the current enforcement policies were counterproductive, in that the threat of criminal prosecution impaired post-casualty communication and cooperation between vessel personnel and the authorities. Coast Guard representatives testified at the hearing in support of the current procedures and stressed the limited number of criminal prosecutions resulting from pollution incidents. Coast Guard representatives admitted, however, that other governmental agencies have prosecutorial discretion. Thus, the Coast Guard's policies are not necessarily controlling.

President McCormack will appoint a subcommittee of the Board to look into whether the Association should become involved in any effort to change the current status of enforcement of criminal penalties under the environmental laws, and of the interpretation of 46 U.S.C. §10908 at issue in *United States v. Rivera*.

Treasurer Bonner, a former Chair of the Committee on Navigation, Coast Guard and Government Regulations, reported on the proposals for changes to the Rules of Practice, Procedure, and Evidence for Administrative Proceedings of the Coast Guard affecting revocation and suspension of merchant mariners' licenses, which were embodied in a Notice of Proposed Rule Making dated April 6, 1998. After study by the Committees on Navigation, Coast Guard and Government Regulations and on Maritime Personnel, it has been determined that these changes are noncontroversial.

Practice and Procedure

Robert J. Zapf of Los Angeles, Chair of the Committee on Practice and Procedure, provided written and oral reports to the Board about the status of proposed stylistic and substantive changes to Supplemental Admiralty Rules B, C and E of the Federal Rules of Civil Procedure.

In brief, the proposed changes are: (1) inclusion in Rule B of a requirement that the Marshal serve process of maritime attachment and garnishment if the property to be seized is a vessel or property aboard, paralleling the service requirements under Rule C; (2) modification of Rule B's provision allowing use of state court attachment procedures to refer to Rule 64 rather than Rule 4(e) of the Federal Rules so as to avoid the problems that would have been engendered by the replacement of old Rule 4(e) with Rule 4(n)(2) in the 1993 amendments, and thus saving the use of attachment as a security measure even in those circumstances in which personal jurisdiction can be obtained (*e.g.*, in a multidistrict state in which long-arm jurisdiction is available, but the defendant cannot be located within the district in which the property can be found); (3) elucidation in Rule C to clarify the differences between forfeiture and maritime proceedings; (4) sty-

listic changes to correct the confusion created by the varying meanings of the words "claim," "claimant" and "claim" of owner to reflect who must appear and what must be filed to assert the right to defend arrested property; (5) conforming amendments to Rule E(3) and Rule 14 to reflect these changes.

The foregoing proposed changes had already been approved by the Association's Board, and, together with changes to Rules 26 and 34, have now been approved by the Advisory Committee and by the Standing Committee on Civil Rules of the Judicial Conference of the United States. The period for public comment on these rules runs through January 1999. Meetings have been scheduled in Baltimore on December 7, 1998, and in San Francisco and Chicago in January 1999 for public comments. Written comments may also be submitted.

As part of the review process, however, two new issues were raised by the Judicial Council for the United States Court of Appeals for the Ninth Circuit, one relating to the type of notice to be given when property is seized and the second to define the time at which the defendant's presence within a district is determined as the time the complaint is filed. As the first issue is controversial, and may involve changes to existing law, the Committee on Practice and Procedure, together with the Committees on Marine Financing and Stevedoring and Terminal Operations, will analyze these issues and will make recommendations to the Board at a later date.

Association member Mark O. Kasanin of San Francisco has been asked to extend his term as a member of the Advisory Committee for an additional two years. Mr. Kasanin's efforts have been a significant factor in moving the changes to the Admiralty Rules along. He will forward copies of the proposed rules to Mr. Zapf, who will provide copies to members if they request them.

Study Group on Marine Insurance

President McCormack reported on the current project of the Study Group on the Marine Insurance Act. The Study Group's chair, Edward V. Cattell, Jr., of Philadelphia, and Professor Michael F. Sturley of Austin, have been trying to determine whether the American Law Institute (ALI) would produce a Restatement of Marine Insurance, using the Study Group's earlier study of marine insurance, MLA Report (Special Issue) September 30, 1995, MLA Doc. No. 719, as part of the background for the project. It is anticipated that Mr. Cattell and Professor Sturley will be the Reporters if such a project were to go forward. The ALI will require a design proposal, however, before it makes a decision about whether it will take up this work. Mr. Cattell and Professor Sturley have drafted a design proposal, which will be reviewed by an Association Study Group appointed by Presi-

dent McCormack and some members of the ALI, before being presented to the ALI. President McCormack has appointed Immediate Past President Moseley, Jean A. Knudsen of New York, Chair of the Association's Committee on Marine Insurance and General Average, Edward F. LeBreton, III, of New Orleans, Immediate Past Chair of the Association's Committee on Marine Insurance and General Average, and Marilyn Lytle of New York, Chair of the Association's Committee on Marine Ecology, to the Association Study Group, and will be appointing two more members.

A copy of Mr. Cattell's progress report will be provided to the Board. The time to complete such a project is generally about five to seven years.

Study Group on Professionalism

Immediate Past President Moseley distributed copies of the Study Group's Code of Professional Conduct, which was adopted by the membership at the General Meeting on October 31, 1997. In addition to the copies which are being sent to the membership with the upcoming President's Newsletter, the Code is printed in the Directory. Immediate Past President Moseley expressed the Association's gratitude to the members of the Study group, including the many judicial members who contributed so much to the drafting of the proposed code.

Study Group on Strategic Planning

After careful deliberation, it was the consensus of the Board that it would not at this time implement the proposal for law student membership in the Association. Among the factors influencing the Board's position were: (1) there are a sufficient number of young lawyer members seeking to become involved in the Association's work to provide sufficient assistance for Committee projects, and the addition of student members might deprive young lawyers of opportunities to join in Association projects; (2) even if opportunities for young lawyer members were not reduced, law students generally have not been exposed to the practicalities of practice or to maritime commerce and therefore would not be in a position to make the same contribution as other members, particularly because law students already may be overworked; (3) many students are more likely to be seeking contacts in connection with their job searches rather than meaningful opportunities to enhance their knowledge of maritime law, which they could do just as well by reading the MLA documents available in most law school libraries and by attending our committee meetings, which are already open to students; (4) the Association supports the interest of students in maritime law by the participation of its members as the John W. Sims professor at Tulane University, by being one of the sponsors of the John R. Brown Moot Court Competition, and by the efforts of the officers and board members in reading the briefs and judging the arguments; (5)

unlike groups such as the American Bar Association, which are substantially funded and have many paid staff, the Association is a volunteer organization and does not have the funds or personnel to finance and administer another group of non-dues-paying members, particularly in view of the fact that printing and mailing costs already constitute the Association's biggest expenditure; (6) a mere interest in joining the Association does not ensure that individuals will follow through on that interest, as evidenced by the fact that such a small proportion of our Associate Lawyer members seek elevation to Proctor membership; and finally, (7) the Association would have no means of ascertaining the moral character or legal ability of law student members.

Special Committee on the Centennial

President McCormack reported that the evening cocktail party at the Boathouse in Central Park has been changed from Thursday, May 6, 1999 to Tuesday, May 4, 1999. The main evening event continues to be the black tie buffet dinner at the Museum of Modern Art on May 5, 1999 at which docents will be available to show members around the museum. On the afternoon of Thursday, May 6, 1999, there will be a maritime exhibition at the new Federal Courthouse in Manhattan at 500 Pearl Street sponsored by the United States Court of Appeals for the Second Circuit, the Federal Bar Council, the Ocean Liner Museum and the Association. The possibility of a function on the evening of Friday, May 7, 1999, has not yet been finally determined.

The Committee is considering a different format for the General Meeting on the morning of Friday, May 7, 1999.

INTERNATIONAL ACTIVITIES

International Maritime Organization

President McCormack reported on the IMO Legal Committee, which is ably chaired by Alfred Popp, Q.C., a member of the Canadian Maritime Law Association. The United States, one of approximately fifty-five member countries of the IMO, is represented by a delegation including personnel from the State Department, the National Oceanic and Atmospheric Administration and the Coast Guard. The U.S. delegation is generally led by Captain Malcolm J. Williams, Jr., Chief of the Office of Maritime and International Law. Captain Williams has been assisted in the past by Lieutenant Commander Bruce P. Dalcher, who has recently been assigned to teach law at the United State Coast Guard Academy. Captain Williams will now be aided by Lieutenant William Rospars, who has spent the last four years in appellate practice in Coast Guard headquarters in Washington, D.C. He will be organizing the majority of the work to prepare for the IMO meetings and

for the U.S. Shipping Coordinating Committee meetings which provide a forum for discussion of topics to be taken up by the IMO. First Vice President Dorsey has been attending meetings of the Shipping Coordinating Committee in order for the Association to keep abreast of topics that will be treated by the IMO.

The Coast Guard has often requested that the Association provide one or two members to attend the IMO Legal Committee meetings to act as advisors to the U.S. delegation. Immediate Past President Moseley, President McCormack and First Vice President Dorsey, III, have recently acted as advisors.

The next meeting of the IMO Legal Committee will during the week of October 19, 1998. President McCormack and First Vice President Dorsey will be attending at the invitation of Captain Williams.

Immediate Past President Moseley reported that since the IMO is composed of governmental bodies, the Association can be particularly helpful in providing and impartial explanation of how the commercial world functions, and the effect of legal initiatives on all shipping interests.

Arrest Convention — JIGE

The Joint International Group of Experts on Maritime Liens and Mortgages and Related Subjects (JIGE) produced a draft Arrest Convention in December 1996, which was reviewed by the CMI at its Centenary meeting and has been the subject of a CMI position paper, a draft of which was circulated to the national associations for comment on an expedited basis. A revised draft will be circulated to the national associations and submitted to the IMO. A diplomatic conference has been tentatively scheduled to take place in Geneva from March 1 through 12, 1999 at which all issues will be debated. Robert J. Zapf, Chair of the Committee on Practice and Procedure, is expected to be the Association's representative.

Comité Maritime International

Ann G. Miller of San Francisco, Chair of the Committee on Cruise Lines and Passenger Ships, reported that the 1974 Athens Convention on Passenger Claims has had increasing significance in litigation involving injuries to cruise ship passengers. While there are many cruise lines with offices in the United States whose ships operate in waters covered by the Athens Convention, the United States has not ratified the Convention. The CMI has asked the Association to respond to its questionnaire concerning legal and practical issues related to the Convention. The Coast Guard is interested in the Association's response in connection with the Coast Guard's preparation for the next meeting of the IMO Legal Committee at which the Athens Convention will be discussed.

President McCormack, First Vice President Dorsey and Ms. Miller will draft a response to the CMI questionnaire. In this connection, Ms. Miller has consulted a number of people involved in the cruise business to determine their positions on issues such as whether or not the limits of liability should be raised, whether or not there should be strict liability for passenger injuries and whether or not there should be mandatory accident insurance.

Membership Secretary Rice reported that there will be a full meeting of the CMI International Subcommittee in Houston on October 15, 1998 to discuss the CMI draft Convention on Mobile Offshore Craft and Structures.

UNESCO Convention on Underwater Cultural Heritage

James T. Shirley, Jr. of New York, who chairs the Committee on Salvage, reported on the UNESCO Convention on Underwater Cultural Heritage, which was first formulated in the mid-1980's in Buenos Aires. The subject was brought to the Association's attention by J. Ashley Roach, Captain, JAGC, U.S. Navy (Ret.), who is with the Office of the Legal Adviser of the U.S. Department of State (L/OES). Captain Roach advised that a meeting of the Shipping Coordinating Committee was about to be convened in Washington, D.C. to discuss the position the United States delegation would take on the draft Convention.

The Association believes there are a number of problems with the draft Convention, the biggest of which is that it would remove from the law of salvage and the law of finds a broadly defined category of vessels and other objects on the seabed. It appears that many of the national delegations to UNESCO are composed of individuals who believe that restricting recovery of underwater historical artifacts to the jurisdiction of a special international agency is preferable to allowing such artifacts to be "plundered" by commercial interests. Commercial and historic salvors are concerned that such a treaty will deny forever the benefits that study of these sites and recovery of these objects may confer because an international agency may not be in a position to fund the enormous research and recovery expenses in deep ocean areas. Because the only inducement for private entities to undertake such outlays has been the possibility of substantial economic gain from a successful expedition, the absence of the possibility of profit under the draft treaty might put underwater exploration and recovery by private entities to an end, just when the technology has advanced to the point to make location and recovery possible.

A central dispute is whether the development of this area of law should be by international convention or through the courts. In the United States, the courts have already demonstrated their concern for the protec-

tion of the archaeological aspects of such recoveries and the preservation of items of historical value by placing conditions on the efforts of commercial salvors, as in the case of the *CENTRAL AMERICA*. Mr. Shirley suggested that the Association might be in a position to balance the interests of preservationists and salvors, perhaps through the development of a compromise position.

One suggestion for compromise would abolish the law of finds and establish an agency as a trustee over discoveries by commercial entities, but allow the courts to decide, using the law of salvage, to apportion the artifacts between the salvors and archaeological groups.

The next meeting of the national delegations is tentatively scheduled for April 1999, at which changes to the proposed draft convention will be discussed. There are likely to be two or three more meetings over the coming years before the draft Convention is finalized and submitted for ratification. Because the U.S. is not a member of UNESCO, it does not have an official delegation, but it does have observer status. This observer group, which does not include a member of the Association, has thus far been the only representative group to these meetings to include a member with commercial experience in this area.

President McCormack has appointed a Study Group chaired by John D. Kimball of New York and vice chaired Professor David J. Bederman of Atlanta with representatives of other committees in order to make recommendations to the Association about the position or action to be taken, if any.

PROPOSED LEGISLATION ON CARRIAGE OF GOODS

Immediate Past President Moseley reported on the progress of the Association's proposed COGSA legislation. President McCormack, Immediate Past President Moseley, Past President Chester D. Hooper, First Vice President Dorsey, Immediate Past President Marshall P. Keating, Vincent M. DeOrchis of New York, Chair of the Committee on Carriage of Goods, and Professor Michael Sturley of Austin continue to devote tremendous effort to its passage. A fourth draft of the proposed legislation has recently been completed and will be distributed to the membership with the upcoming President's Newsletter. The bill will probably be introduced during the 1999 session of Congress. The Senate staff was helpful and Lloyd Ator, who is doing the drafting on the government's behalf, is incorporating the sense of the Association's proposal and is including material in the legislative history which explains the Association position.

American Waterways Operators (AWO) continues to object to the legislation because of the elimination of the error in navigation defense. It is considering whether there should be something in the proposed legisla-

tion that would overrule the Supreme Court's decision in *Bisso v. Inland Waterways Corp.*, 349 U.S. 85 (1955), and expressly except towage contracts from the scope of the act.

The Shipping Policy Division of the Department of the Environment and Transport in the United Kingdom was asked to review the proposed legislation, and referred the matter to Judge Anthony Diamond. Judge Diamond gave, on balance, a favorable report, and took much of the sting out of four criticisms which have been leveled at the proposed COGSA by European groups: (1) separate legislation by the United States would not impair international uniformity because there is no single dominant international regime; (2) there is controversy about the elimination of the error in navigation defense, but given the trade-offs in the proposed legislation, this is not a tremendous loss; (3) the fear that the legislation would expand personal jurisdiction over Europeans is not warranted; and (4) the fact that U.S. shippers can ensure a U.S. forum, while inconvenient, is a political issue.

President McCormack thanked the working group, and particularly Professor Sturley, for their exceptional help with this project.

PROPOSED BY-LAW AMENDMENT CONCERNING TERMINATION OF MEMBERSHIP

President McCormack asked Board members James W. Bartlett, III, Marion E. McDaniel, Jr. and Gordon D. Schreck to study and make recommendations on a possible change to our by-laws to provide for termination of membership.

REMARKS OF BARRY OLAND, PRESIDENT OF THE CANADIAN MARITIME LAW ASSOCIATION

Mr. Oland thanked the Association for the hospitality extended to the CMLA over the years, and expressed the value the CMLA places on the cordial relations between the two Associations. Mr. Oland reported that the CMLA shares the Association's concerns about some CMI and IMO issues, and that he will provide comments about the marine insurance matters being treated by the Association's Study Group.

CHANGES IN THE NOVEMBER COMMITTEE MEETING SCHEDULE

Second Vice President Raymond P. Hayden reported that there will be a meeting of the new Committee Chairs on the afternoon of Tuesday, November 3, 1998. Committee meetings will also now be scheduled to fit within defined time slots so that members will have an opportunity to attend more meetings. There have also been changes to the meeting times of particularly well-attended committee meetings in order to avoid conflicts among those committees.

LOCATION OF FUTURE BOARD AND GENERAL MEETINGS

First Vice President Dorsey reported on proposals he had received from resorts to be considered for future meetings. He will refer appropriate information to Thomas S. Rue of Mobile, Chair of the Special Committee on Site Selection.

MEMORIAL RESOLUTIONS HONORING OFFICERS AND BOARD AND EXECUTIVE COMMITTEE MEMBERS

The Board has Resolutions honoring deceased members who have made exceptional contributions to the Association and expressing the Association's sympathy to their families. The members honored by these Resolutions are:

Richard G. Ashworth of New York
Past President J. Edwin Carey of New York
Norman J. Cowie of Pittsburgh
Honorable David W. Dyer of Coral Gables

Copies of these resolutions are appended to the original of these Minutes, the original resolutions will be given to the families of these late members.

* * *

There being no further business to come before the Board the meeting was adjourned at 12:00 p.m.

Respectfully submitted,

/s/ Lizabeth L. Burrell
Secretary