

Overview of 2009 Amendments to CIS Bylaws

Changes bring the Bylaws into conformance with the 2008 revisions to the CIS Trust Agreement

Throughout the document the terms “Trust”, “Board of Trustees” and “Trustees” are used with more precision. The substantial changes are summarized as follows:

1. An index to the Bylaws has been added.
2. For consistency, the definitions section (Article 1) is replaced with the definitions adopted in the CIS Trust Agreement. In addition, the terms “Summary Plan Description” and “Program Documents” are added in anticipation of self-insuring benefits in the future. These terms appear in ORS 731.036(6) relating to requirements for “jointly self-insured” programs for health insurance coverage. Not all of the terms found in this list of defined terms are necessarily found in the Bylaws, and the text changes slightly in some cases to recognize their application in the Bylaws.
3. Articles 2 and 3 have been reorganized to better define, in Section 2, the basis and term of membership and to incorporate Trust Agreement language regarding eligibility. The changes describe the contractual nature of membership, and the obligations of Members, in Article 3.
4. The earlier Bylaws (Article 2.1 and 2.3) required the Governing Body of the Member to pass a Resolution in order to become a CIS Member. The revisions instead require (at Article 2.4) application by “the governing body of an eligible Member, or a person duly authorized to act on its behalf” to participate in a Trust Program. The application also requires acknowledgment that a participant agrees to be bound contractually if the application is accepted by the Trust. The Bylaws provide for separate applications for each Trust Program. Language regarding use of information gathered by CIS is moved to general provisions in Article 10.
5. The earlier Bylaws (Article 3.2 “Optional Defense by Member”) provided that the Trustees shall adopt a Rule in that regard. That Rule has been adopted, so this provision is deleted as unnecessary.
6. Article 7 is added to recognize the existence of the Board’s Governance Policy as a guiding document.
7. In Article 8 the reference to Bonds and Insurance is changed to Faithful Performance of Duties (CIS does not purchase bond insurance but provides crime and faithful performance coverage for all CIS employees).
8. The phrase at the end of the first sentence of the earlier Article 10.1 (Title to Trust Assets”) (“...except only as provided from time to time by the Bylaws”)

appears to be unnecessary and potentially confusing, and was deleted in the revisions.

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